

# JOURNAL OF THE SENATE

Friday, May 4, 1945

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Thursday, May 3, 1945.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Sheldon
Beacham	Coleman 28th	Lewis	Shands
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

—35.

A quorum present.

Senators McKenzie and Griner were excused from attendance upon the session.

The following prayer was offered by the Chaplain:

"O ever-present God, help us to purge our minds and hearts of every fear for our temporal and spiritual welfare and of every distrust and suspicion of those around us. Rid us of the little cares and nameless worries and of the great despairs, which eat at the very source of life and usefulness. Let faith in Thee and confidence in our fellows; love for Thee and good will for all Thy creatures fill us and invigorate us. May we go about our work, however hard it be, with a valiant hope and glad assurance that Thou dost sustain us and bless us and prosper us according to Thy gracious will toward us, and Thou wilt give us fullness in Thy love; through Him whose faith and courage point the way, Jesus, Thy Son, our Master. Amen."

The reading of the Journal was dispensed with.

The Journal of Thursday, May 3, 1945, was corrected as follows:

Page 4, column 1, in line 11, counting from the bottom of the column, strike out the word "not".

And as corrected was approved.

## REPORTS OF COMMITTEES

Your Committee on Corporations, to whom was referred:

S. B. No. 239—A bill to be entitled An Act to amend Section 657.20, Florida Statutes 1941, by providing that a majority of the entire membership of a credit union may vote to dissolve the credit union.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
WALLACE E. STURGIS,  
Chairman of Committee.

And Senate Bill No. 239, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A", to whom was referred:

H. B. No. 215—A bill to be entitled An Act relating to the recording of deeds and conveyances of real estate, and providing that the post office address of each grantee shall be contained therein before the same shall be admitted to record; providing that the intentional giving of false addresses shall constitute a misdemeanor and providing punishment therefor; providing that the clerks of the Circuit Court shall furnish the county tax assessors with daily schedules of such deeds and conveyances so recorded containing the description of the land, name of grantor, and names and addresses of grantees as specified therein; providing for a fee to be paid to the clerk for such services by person offering such instruments for record; and repealing all laws in conflict therewith.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
AMOS LEWIS,  
Chairman of Committee.

And House Bill No. 215, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Finance and Taxation, to whom was referred:

S. B. No. 211—A bill to be entitled An Act to amend Section 19, of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.63, Florida Statutes, 1941, relating to the licensing of machines, contrivances and devices set in motion or made or permitted to function by the insertion of a coin or slug; and to amend Section 20, of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.21, Florida Statutes, 1941, relating to licenses on games, amusement or recreational devices, contrivances or facilities not otherwise licensed by other law.

And—

S. B. No. 241—A bill to be entitled An Act amendnig Section 205.63, Florida Statutes 1941, relating to license taxes to be imposed upon coin operated machines operated for amusement, and coin operated vending machines.

Have had the same under consideration, and substitute in lieu of Senate Bills 211, and 241, the following therefor; and recommend that the same do pass.

A bill to be entitled An Act to amend Section 19, of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.63, Florida Statutes 1941, relating to the licensing of machines, contrivances and devices set in motion or made or permitted to function by the insertion of a coin or slug, and to amend Section 20, of Chapter 20956, Laws of Florida, Acts of 1941, being Section 205.21, Florida Statutes 1941, relating to licenses on games, amusements or recreational devices, contrivances or facilities not otherwise licensed by other law.

Very respectfully,  
W. A. SHANDS,  
Chairman of Committee.

And Senate Bill No. 211, contained in the above report, together with Committee Substitute therefor, was placed on the Calendar of Bills on Second Reading.

And Senate Bill No. 241, contained in the above report, was referred to the Committee on Judiciary "B".

Your Committee on Finance and Taxation, to whom was referred:

S. B. No. 242—A bill to be entitled An Act providing that the Department of Public Safety acting through the several county judges shall issue upon application without fee, charge, or examination to any member of the armed services of the United States and of the Merchant Marine, an operator's license to operate motor vehicles upon the public highways of the State and providing certain conditions and limitations upon the privilege hereby granted.

With the following amendment:

In Section 1, line 3, strike out the words "charge, or examination", and insert the following: "or charge".

Has had the same under consideration, and recommend that the same do pass.

Very respectfully,  
W. A. SHANDS,  
Chairman of Committee.

And Senate Bill No. 242, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on Second Reading.

Your Joint Committee on Enrolled Bills, to whom was referred:

H. B. No. 19—An Act to amend Section 32.14, Statutes of 1941, providing therein fees for indexing, docketing, and filing certain papers.

Also—

H. B. No. 44—An Act designating and establishing certain roads in Collier County, Florida as State Roads.

Also—

H. B. No. 48—An Act to amend Section 683.01, Florida Statutes 1941, relating to legal holidays.

Also—

H. B. No. 95—An Act to provide for the distribution of anti-hog cholera serum and hog cholera virus to bona fide farmers by the State Livestock Sanitary Board.

Also—

H. B. No. 322—An Act fixing the compensation of the County Commissioners of counties of the State of Florida which now have or may hereafter have a population of more than eighty thousand and not more than ninety thousand inhabitants according to the last preceding Federal Census.

Also—

H. B. No. 339—An Act to authorize the employment and appointment of deputy constables in all counties having a population of not less than 260,000 according to the last Federal Census, by the constables of the various Justice of the Peace Districts in said Counties.

Also—

H. B. No. 341—An Act authorizing the Boards of County Commissioners of all counties in the State of Florida, which now have or may hereafter have a population of more than eighty thousand and not more than ninety thousand inhabitants according to the last preceding Federal Census, upon the approval of the State Comptroller, or upon the approval of the county budget commission in such counties having a budget commission, to transfer surplus funds from one item of a fund to another item, or a new item, of the same fund or to another item, or a new item, of a different fund.

Also—

H. B. No. 249—An Act to amend Section 599.14, Florida Statutes 1941, by providing that no common carrier or other carrier or person shall accept for shipment or ship or transport any citrus fruit unless the grade certificate covering said fruit bears evidence of the payment, as provided by law, of the excise taxes mentioned in Section 599.08.

Also—

H. B. No. 291—An Act fixing the compensation of members of the School Board in counties of the State of Florida having a population of not less than eighty-seven hundred (8,700) and not more than eighty-seven hundred and twenty-five (8,725) according to the 1940 Federal Census; and repealing all laws in conflict herewith.

Also—

H. B. No. 362—An Act fixing the annual salary of the member of the Board of County Commissioners for all counties having a population of not less than 5,400 or more than 5,500 according to the last Federal Census, providing for the payment of such compensation and repealing all laws in conflict herewith.

Also—

H. B. No. 369—An Act to amend Section 1, of Chapter 21043, Laws of Florida, Acts of 1941, entitled: "An Act to amend Section 1, of Chapter 11935, Laws of Florida, Acts of 1927, entitled: 'An Act fixing the compensation of County Commissioners of counties of the State of Florida having a population of more than 17,100, and not more than 18,600, according to the last State Census' repealing all laws in conflict herewith and fixing the date for the Act to become a law". Repealing all laws in conflict herewith and fixing a date for the Act to become a law.

Also—

H. B. No. 414—An Act relating to the Istokpoga consolidated Sub-Drainage district in Highlands and Glades Counties created by Chapter 14736, Acts of 1931, to prohibit it from incurring further obligations or debts in, or to be enforced against, that part of said district in Highlands County which constituted Istokpoga Sub-Drainage district prior to the passage of said Chapter 14736; to preserve the rights of all creditors of said Istokpoga consolidated Sub-Drainage district and of Istokpoga Sub-Drainage District and to provide a time within which creditors having claims against Istokpoga Sub-Drainage district or affecting that part of said Istokpoga

consolidated Sub-Drainage district formerly constituting Istokpoga Sub-Drainage district situated in Highlands County may enforce their claims.

Has examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

T. DREW BRANCH,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

Also—

H. B. No. 61—An Act relating to checks or drafts received for collection or deposit by solvent drawee or payor banks, defining the acts or event constituting payment or acceptance of such items.

Also—

H. B. No. 63—An Act to amend Section 652.06 of Florida Statutes 1941, relating to banks and the capital stock thereof.

Also—

H. B. No. 69—An Act relating to moneys deposited in any bank or trust company in this State in the name of a minor not under guardianship and the withdrawal thereof.

Also—

H. B. No. 141—An Act amending Sections 813.01 and 813.02, Florida Statutes 1941, defining robbery by a person armed with a dangerous weapon with the intent if resisted to kill or maim the person robbed, and prescribing a penalty therefor; and defining robbery by a person whether armed with a dangerous weapon or not, not having the intent if resisted to kill or maim the person robbed, and prescribing a penalty therefor.

Also—

H. B. No. 187—An Act amending Section 374.20, Florida Statutes 1941, relating to fishing in Lake Okeechobee, by providing a closed season annually, further regulating fishing in said Lake and providing penalties for violation hereof.

Also—

H. B. No. 335—An Act to amend Section 2, of Chapter 21944, Laws of Florida, Acts of 1943, prohibiting the sale of intoxicating beverages between certain hours of the day and on Sunday.

H. B. No. 387—An Act providing for the cancellation of all delinquent county and municipal taxes and all delinquent special assessments, except State taxes, against all lands situated within the boundaries of North St. Lucie River Drainage District and owned by North St. Lucie River Drainage District, St. Lucie County, Florida, and providing for the distribution of the proceeds of any sale of such lands.

Also—

H. B. No. 401—An Act to authorize and empower the City of Fort Lauderdale, a municipal corporation of Broward County, Florida, to require property therein to be cleared and cleaned, and weeds, undergrowth, rubbish, debris, brush and unsightly and unsanitary matters located thereon to be removed; to require unsanitary excavations or depressions to be filled, and upon the failure thereof by the property owners or persons interested therein, said city may cause the same to be done, and make the cost thereof a charge and lien against such property, of the same extent and character as the lien provided for special assessments authorized by law to be made by said city for the cost of local improvements.

Also—

H. B. No. 416—An Act to amend Section 31 of Chapter 18759, Laws of Florida, Special Acts of 1937, being "An Act to abolish the present municipality and municipal government of the Town of Pahokee in Palm Beach County, Florida, as created by Chapter 9872, Special Acts of 1923, and to establish a new municipality to be known as the City of Pahokee in Palm Beach County, Florida; to define its territorial boundaries and to provide for its government and to prescribe its jurisdiction

and powers and the jurisdiction and powers of its officers; to legalize and validate the ordinances of said town and official acts thereunder, and to adopt the same as the ordinances of said City of Pahokee; to prescribe the time within which suits can be brought against said city and for notice thereof, and providing a negative referendum to decide the question of incorporating said city". By providing for the appointment of the city marshal, and providing for the removal of any and all appointive officers, and further providing for a referendum vote of this act, and fixing the effective date of this act.

Has examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

T. DREW BRANCH,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

H. B. No. 345—An Act to confer additional powers upon the City of Fort Myers, a municipal corporation in Lee County, Florida, in relation to the collection, treatment and disposal of sewage, including industrial wastes; to authorize and empower said City to construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate a sewage disposal system or systems, either within or without, or partly within and partly without, the corporate limits of the City, and to construct sanitary sewer improvements within the corporate limits of the City; to provide for the issuance of revenue bonds, payable solely from revenues, to pay all or a part of the cost of such construction, without incurring any debt of the City and without pledging its faith and credit; to provide for the imposition and collection of charges for making connections with the sewer system of the City, for the imposition and collection of rates, fees and charges for the use of the services and facilities of such sewage disposal system or systems, for the imposition and collection of rates, fees and charges for the use of the services and facilities of any such sanitary sewer improvements, and for the application of such revenues; to authorize and empower the City to require connection with sanitary sewers served or which may be served by any sewage disposal system of the City; to grant to the City power to acquire necessary real and personal property and to exercise the power of eminent domain; to give the consent of the State of Florida to the use of all State lands lying under water which are necessary for the accomplishment of the purposes of this Act; to exempt from taxes and assessments any sewage disposal system of the City; to authorize acceptance by the City of grants and contributions in aid of the purposes of this Act; to authorize the pledge of surplus water revenues; to authorize the issuance of sewer revenue refunding bonds; to authorize the combination of the water and sewer systems of the City for financing purposes and the issuance of water and sewer revenue bonds; and to prescribe the powers and duties of the City in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

Also—

H. B. No. 366—An Act to authorize the clerk of the circuit court and Board of Public Instruction of Bay County, Florida, to pay to the tax assessor of Bay County, Florida, commissions on money paid to the County of Bay in lieu of taxes on property assessed by the tax assessor, valued and recapped as other taxable property but denied authority to actually extend the amounts.

Also—

H. B. No. 368—An Act validating, ratifying, confirming and legalizing all proceedings, heretofore taken, done or performed by the taxing officials, in assessing, selling for delinquent taxes and issuing tax deeds, upon, to or against lands in Bay County, Florida; confirming, validating, ratifying and legalizing all tax rolls, tax sale certificates, and tax deeds heretofore made or issued upon, or to lands in Bay County, Florida; relieving the taxing officials of said county of all liability in connection with the taxation of lands in said county for the years 1933 to 1944, inclusive; and repealing all laws and parts of laws in conflict with this Act.

Also—

H. B. No. 412—A Special Act supplementing Chapter 18759, Laws of Florida, Special Acts of 1937, entitled "An Act to abolish the present municipality and municipal government of the town of Pahokee in Palm Beach County, Florida, as created by Chapter 9872, Special Acts of 1923 and to establish a new municipality to be known as the City of Pahokee in Palm Beach County, Florida; and to define its territorial boundaries and to provide for its government and prescribe the time within which suits can be brought against said City and for notice thereof, and providing a negative referendum to decide the question of incorporating said City." And by this Act to authorize and empower the City Council of the City of Pahokee, Florida, to employ a City Manager and setting forth his powers and duties and fixing the effective date of this Act, and providing for a referendum vote on this Act.

Also—

H. B. No. 151—An Act to authorize the County of Putnam, State of Florida, to establish, maintain and operate a County Nursing Home; to authorize the Board of County Commissioners of said County to expend Public Funds therefor; to authorize manner of operation and maintenance; to establish fees and charges for all citizens other than charity cases; to lease the same; to employ the necessary personnel for its operation; to levy tax for the establishment, operation, maintenance and to issue and sell time warrants for building or repairing and facilities of said county nursing home; to ratify the acts and proceedings of the Board of County Commissioners in the establishment, maintenance and operation of said county nursing home.

Also—

H. B. No. 175—An Act transferring all balances in the State Road License Fund appropriated and allocated to the said fund for the construction of first, second, and third preferential State Roads to the State Road License Fund to be used in the construction, in those counties wherein such balances exist, of any state roads in like manner as now provided by law directing the expenditure of the eighty per cent second provision fund of the second gas tax.

Also—

H. B. No. 178—An Act authorizing the State Road Department of Florida to purchase from the United States of America or from any government agency, department or bureau of the United States of America any supplies, material, equipment or other property regardless of value, without advertisement for bids.

Also—

H. B. No. 365—An Act to authorize and empower the Board of County Commissioners of Bay County, Florida, to issue time warrants, revenue certificates or bonds as determined by said board of said county in the amount not to exceed two hundred and eighty thousand dollars for the purpose of the designing, constructing, equipping and furnishing of a general county hospital; and authorizing said county by and through its county commissioners to operate and maintain said hospital and levy not to exceed two mills on the dollar for such purposes.

Has examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

T. DREW BRANCH,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

S. B. No. 79—An Act relating to the admission of female students who are the wives of servicemen as described in Chapter 4, title two, of the "Servicemen's Readjustment Act of 1944", as passed by the Congress of the United States of America, at the University of Florida; and to the admission of male students who are the husbands of service women, as described in said "Servicemen's Readjustment Act of 1944" at the Florida State College for Women; and providing the

qualifications and conditions under which such students may enroll at said Institutions.

Also—

S. B. No. 281—An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties and levies of taxes by the City of Hawthorne, Alachua County, Florida, for the years 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943 and 1944 and authorizing the collection of said taxes in manner provided by law.

Also—

S. B. No. 283—An Act to authorize County of Sarasota to contribute a sum not exceeding seven thousand five hundred dollars for repairs to the "Siesta Bridge" in the City of Sarasota; to require an appropriation therefor in said County's 1945-1946 fiscal year's budget; and to direct the levy of a special millage to pay said appropriation.

Also—

S. B. No. 285—An Act to amend Section 6 of Chapter 8277, Laws of Florida, Acts of 1919, as amended by Section 1 of Chapter 19905, Laws of Florida, Acts of 1939, entitled "An Act providing for pensions for employees of the City of Jacksonville."

Also—

S. B. No. 287—An Act to assist in financing the operation of a Central Veterans' Service Office in Sarasota County to the end of said County's 1945 fiscal year; to provide funds by county taxation for such purpose; and to support a pledge of such funds made by the Board of County Commissioners of said County.

Also—

S. B. No. 297—An Act prescribing the compensation and mileage of the County Commissioners of Sarasota County, Florida, and providing for payment thereof.

Also—

S. B. No. 303—An Act ratifying and confirming the Civil Service System of the City of Sanford, Florida, established by Ordinance No. 349 of said City, passed and adopted on the 8th day of May, 1944, as amended by Ordinance No. 365, passed and adopted on the 14th day of February, 1945, and the rules and regulations adopted by the Civil Service Board of said Civil Service System, except as said System and said rules and regulations may be modified or changed by this Act.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

T. DREW BRANCH,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Your Joint Committee on Enrolled Bills, to whom was referred:

H. B. No. 370—An Act fixing the compensation and commissions of assessors of taxes in counties of the State having a population according to the last, preceding Federal Census of not more than 12,500 and not less than 12,100.

Also—

H. B. No. 117—An Act to authorize and empower the Board of County Commissioners of Putnam County, State of Florida, to annually appraise and fix the value of all County lands acquired for delinquent taxes, without regard to last assessed value.

Also—

H. B. No. 112—An Act authorizing and empowering Putnam

County, Florida, by, and through the Board of County Commissioners of said County to grant, bargain, sell, exchange and convey certain described lands, the property of said County.

Also—

H. B. No. 111—An Act authorizing and empowering the Clerk of the Circuit Court of Putnam County, State of Florida, to remove from said office and turn over all duplicate tax rolls without binders for the year 1940, and all prior years, to the paper salvage campaign for the benefit of the Red Cross.

Also—

House Memorial No. 4:

Requesting Congress to pass House Resolution 2071, the purpose of which Resolution is to reclassify the salaries of postmasters, officers, and employees of the Postal Service.

Also—

House Memorial No. 3:

A Memorial to petition Congress to investigate the Veterans Administration by Special Committee.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

T. DREW BRANCH,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Your Joint Committee on Enrolled Bills, to whom was referred:

S. B. No. 23—An Act providing for the payment from the Grapefruit, Orange and Tangerine Advertising Funds to Arthur Kudner, Inc., a Corporation, of Monies Expended by it while acting as the Advertising Agency of the Florida Citrus Commission.

Also—

S. B. No. 82—An Act amending Section 561.46, Florida Statutes 1941, providing Excise Tax upon Beverages; prohibiting sale of mixed drinks by beer and wine vendors; repealing Chapter 20829, Laws of Florida, Acts of 1943; all pertaining to the Beverage Laws.

Also—

S. B. No. 301—An Act to amend Section 11 of Chapter 7672 of the Laws of Florida as amended, relating to the Municipal Government of the City of Miami Beach.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

T. DREW BRANCH,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Concurrent Resolution No. 6:

BE IT RESOLVED BY THE SENATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

WHEREAS, Florida, by reason of its thousand miles of shore, has come to know better than any other state the work of the men and women of the U. S. Coast Guard—regulars, reservists, temporary reservists and auxiliary members, and

WHEREAS, Florida, as a great marine state, with merchant and pleasure vessels by the thousand crowding its waters, always had need of the protection of the Coast Guard, and

WHEREAS, a great many Florida citizens have, in exchange for unpaid volunteer service to release regulars for active duty

on the fighting fronts, received valuable training from the Coast Guard in the safeguarding of lives at sea, and

WHEREAS, to make continuing use of this training, the able commandant of the Coast Guard, Vice Admiral R. R. Waesche, has planned a place in the post-war official family of the Coast Guard for these qualified, disciplined and equipped volunteers, and

Also—

Senate Concurrent Resolution No. 7:

WHEREAS, The White City Bridge over the Intercoastal waterway on State Road 6, is at present unnamed, and

WHEREAS, a fitting expression of respect and confidence to Honorable Elgin Bayless for his valued administration of the affairs of the State Road Department and the fine efforts that he is making for advancement of the public road system of the State, could be done by naming the aforementioned bridge the "Elgin Bayless Bridge."

Also—

S. B. No. 7—An Act to amend Section 585.11, Florida Statutes 1941, relating to the control, prevention, suppression and extirpation of contagious, infectious and communicable diseases affecting domestic animals and poultry; authorizing and directing the State Livestock Sanitary Board to cooperate with the agencies and authorities of the United States in connection therewith.

Also—

S. B. No. 120—An Act abolishing Justice of the Peace Districts in Marion County, Florida, and providing that this Act shall not become effective unless approved by a majority of the qualified electors of said county at the next ensuing general election.

Also—

S. B. No. 191—An Act fixing the compensation of the Prosecuting Attorney for County Courts in all of the Counties of the State of Florida having a population of not less than 22,000 and not more than 22,500 according to the official Florida State Census for 1940.

Also—

S. B. No. 196—An Act authorizing Pinellas County, Florida, through its governing body to aid and assist veterans who have been honorably discharged from the Military, Naval and Marine Forces of the United States of America, or any auxiliary branch thereof, to rehabilitate themselves in the economy of American life; setting forth the rights, powers and duties of the Board of County Commissioners in relation thereto and setting forth a procedure in connection therewith.

Also—

S. B. No. 218—An Act authorizing the taking of a Census of the inhabitants within Pinellas County, Florida; providing for the procedure therefor; and providing the method of which the results thereof shall be proclaimed and made a part of the State Census of the State of Florida; and providing for the remuneration to be paid for persons taking such census; and prescribing certain rights, powers and duties of the Board of County Commissioners and the State Commissioner of Agriculture in relation thereto.

Also—

S. B. No. 235—An Act amending and re-enacting Section 4 of Article VI of Chapter 15082, Acts of 1931, of Town of Belle Glade Charter by omitting requirement as to Treasurer's Bond on Bond Sales.

Also—

S. B. No. 252—An Act affecting the City of Jacksonville, and pension and retirement privileges of members of the Fire Department who were members of the South Jacksonville Fire Department at the time of the annexation of the City of South Jacksonville by the City of Jacksonville, Florida.

Also—

S. B. No. 263—An Act relating to the office of City Attorney of the City of Jacksonville, fixing his term of office, providing for the salary of the City Attorney, prohibiting him from engaging in the private practice of law, and requiring him to devote all of his working time to the legal affairs of the City of Jacksonville, prohibiting him from employing any outside attorney or counsel without the specific approval of the City

Commission of the City of Jacksonville in each case, and providing for his election and for the appointment of all of his assistants by the City Commission of the City of Jacksonville, and other matters in connection therewith.

Also—

S. B. No. 264—An Act affecting the Government of the City of Jacksonville by abolishing the offices of Councilmen at Large and fixing the salary of the City Ward Councilmen, and other matters in connection therewith.

Also—

S. B. No. 274—An Act granting to all employees of the City of Jacksonville who were employed by the City of Jacksonville continuously for fifteen years prior to on or about July 22, 1939, and who left the service of said City for any cause or reason whatsoever and were re-employed by said City within six years from the date of said severance, for purposes of pension and retirement benefits, full service credit for their years of service with the City as if said service had been continuous within the meaning of the pension laws affecting such employees and providing for repayment into the pension fund by such employees of all sums of money refunded from said fund to such employees at the time of their severance from the service with the City.

Also—

S. B. No. 276—An Act to fix the compensation and salary to be paid the Probation and Parole Officer or Supervisor of the Criminal Court of Record of Hillsborough County, Florida, providing for the payment of office rental and office expense; providing for the payment of automobile expense, maintenance, upkeep and repair; also providing for the payment of clerical assistance or stenographer; and providing that all said moneys shall be paid by Hillsborough County, Florida, and repealing all laws in conflict herewith.

Very respectfully,

T. DREW BRANCH,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Senator Gray moved that a committee be appointed to escort Honorable Joe L. Shart, Mayor of Port St. Joe, Florida, and former member of the Senate from the 25th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senator Gray as the Committee.

#### INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senator Fraser (29th Dist.)—

Senate Resolution No. 18:

WHEREAS, the Honorable John Slater Smith, died May 16 1943, and

WHEREAS, in the death of John Slater Smith, Clay County, and the State of Florida lost an unselfish and highly esteemed public servant, therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA in regular session that it takes note of the passing of Senator Smith in the following memorial:

#### IN MEMORIAM—JOHN SLATER SMITH

John Slater Smith, son of Judge and Mrs. Caleb W. Smith was born in Reidsville, Georgia, December 7th, 1879. He was educated in the public schools of Tatnall County, Georgia and at the University of Georgia, where he graduated with honors in 1900, with an L.L.B. Degree. After practicing law in Georgia he moved to Florida in 1903 and settled at Gree Cove Springs in Clay County.

At that time he was one of the largest naval stores operator in the South, the land where Camp Albert Blanding is now situated, being one of his earliest turpentine camps. He was also active in farming, road construction, and sawmill operations. He served one term as Sheriff of Clay County and

until the time of his death was a member of the Democratic Executive Committee.

He was elected to the Florida House of Representatives from Clay County for the session of 1911, and was subsequently sent back by his people to represent them in this Branch of the Legislature in the sessions of 1917, 1933, 1937 and 1939.

Mr. Smith was elected by the people of Clay and Baker Counties, comprising the 29th Senatorial District, to serve them in the State Senate in the sessions of 1925, 1927, 1935, 1941 and 1943.

During the 1929 Session of the Legislature, while serving in the House, Mr. Smith was the leader of the small county-bloc and wielded a powerful influence over House Legislation. Among the laws now on the Florida Statute books for which Senator Smith was sponsor, or co-sponsor, are the Florida Free Text Book Law, the Florida Welfare Act, the Florida Highway Patrol, and the Florida Economic and Advancement Council. Senator Smith served on many important committees during this thirty years of service in the Legislative branch of our Government. He was particularly interested in old age security and wrote many amendments to the Welfare Act. Each law which he successfully supported will stand a perpetual monument in commemoration of his unselfish service.

Senator Smith was a pioneer son of a pioneer family. He was a leader in his home community, and was always ready day or night to do anything within his power for its advancement and welfare. He likewise had a wide acquaintance and exerted a powerful influence throughout the State. He was known as a man of high integrity, honor and ability. His power was not always manifested by a flow of words or a public flourish. He usually preferred to exert his influence for good in a quiet unassuming way. Measured in service to his County and State, John Slater Smith ranks high among the leaders who have thus far struggled to make Florida the great State that it is. He was the champion of the small man, the small town and the small county.

He was stricken with a fatal illness in the beginning of the 1943 session and although his seat in the Senate was not occupied his influence and ideals were apparent throughout the 1943 session.

On November 21, 1906, John Slater Smith was married to Miss Walton Lanier. Two children were born to this union, a daughter Julia, and a son, John Slater Jr., who is now serving in the Armed Forces of our country.

Senator Smith was member of Reidsville Methodist Church. He was a member of the Masonic Lodge, Cahul 116, and was also a member of the Civitan Club.

BE IT FURTHER RESOLVED that a copy of these resolutions be certified by the Secretary of the State of Florida under the Great Seal of the State of Florida, immediately sent to the family of Honorable John Slater Smith.

EE IT FURTHER RESOLVED that a copy of this resolution be spread upon a page of the Journal of the Senate of the State of Florida, and made a permanent record of this Legislature.

BE IT FURTHER RESOLVED that a copy of this resolution be furnished to the Press.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was unanimously agreed to by a standing vote of the Senate and Senate Resolution No. 18 was adopted.

Senator Johnson moved that a committee be appointed to escort Honorable Truman G. Futch, a former President of the Senate from the 23rd Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

The President appointed Senator Johnson as the committee.

By Senator Fraser (29th Dist.)—

Senate Resolution No. 19:

WHEREAS, on August 17, 1944, Honorable John D. Dugger, a former member of the State Senate and House of Representatives, departed this life; and

WHEREAS, his patriotism and public service as a citizen and legislator demand the attention of this Senate and of

the citizens of Florida and it is proper that same should be Memorialized and that permanent record thereof be made in the history of the State of Florida; NOW THEREFORE

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA That the Senate does hereby record this memorial and expression of bereavement upon the death of the Honorable John D. Dugger of Macclenny, Florida:

IN MEMORIAM—John D. Dugger

Born March 17, 1890, in Baker County, of which he was a life-long resident. He attended the public schools of Baker County and the University of Florida.

During his public career he was honored by his fellow citizens many times. He served as a member of the Town Council for two terms and was Chairman of its Board for one term. He served as Town Clerk and Tax Assessor for three terms. He served as Superintendent of Public Instruction for three years. He was a member of the School Board for two terms and served as its Chairman during his last term. He was elected to the House of Representatives in 1932 and re-elected in 1935, 1937 and 1943. He served as a member of the State Senate from 1939 to 1943.

In 1923 he became Cashier and Director of the Citizens Bank of Macclenny and in this capacity he served for 21 years.

He always took an active part in matters pertaining to the welfare of the County and State and had many prominent and warm friends throughout Florida and other states.

In his passing the State has lost a valuable citizen.

BE IT FURTHER RESOLVED That a copy of these resolutions certified by the Secretary of the State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved family of Honorable John D. Dugger.

BE IT FURTHER RESOLVED That a copy of these resolutions be spread upon a page of the Journal of the Senate of the State of Florida and made a permanent record of this Legislature.

BE IT FURTHER RESOLVED That a copy of these resolutions be furnished the Press.

Which was read the first time in full.

The question was put on the adoption of the resolution.

Which was unanimously agreed to by a standing vote of the Senate and Senate Resolution No. 19 was adopted.

By Senators Brackin, Thomas, Riddle, Branch, Wilson and Ausley—

Senate Concurrent Resolution No. 9:

A resolution to invite the Honorable Bob Sikes, member of Congress from the Third Congressional District of Florida to address a joint session of the Florida Legislature.

WHEREAS, Bob Sikes, M. C., will be in the State of Florida during this session of the Legislature and will be available to address a joint session of the Senate and the House of Representatives and,

WHEREAS, a message from Congressman Sikes will be of great benefit to the members of the Legislature due to his intimate knowledge of the conduct of the war, particularly the European phase thereof and,

WHEREAS, Congressman Sikes obtained the knowledge at first hand by virtue of his being a member of the Military Affairs Committee of Congress and was a member of the armed services of the United States of America with the rank of Major and visited the European theater of operations.

THEREFORE, be it resolved by the Senate, the House of Representatives concurring, that the Honorable Bob Sikes, Member of Congress for the Third Congressional District of Florida, be and he is hereby invited to address a joint session of the Florida Legislature; That a committee from the Senate and from the House be named to make arrangements with Congressman Sikes as to the time of delivery of said address and the carrying out of the provisions of this resolution; that a copy of this resolution be delivered to Congressman Sikes.

Which was read the first time in full.

Senator Thomas moved that the rules be waived and Senate



Concurrent Resolution No. 9 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 9 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 9 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Thomas—

S. B. No. 355—A bill to be entitled An Act to provide for the levy and sale under execution of certain facilities owned by certain State, County and Municipal Boards, Commissions or Districts, under certain circumstances: providing for the method of determination as to whether property is subject to execution and vesting the Circuit Courts with jurisdiction in such cases.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Thomas—

S. B. No. 356—A bill to be entitled An Act providing for redemption of property owned by the Trustees of Internal Improvement Fund which has been acquired by such trustees under the provisions of Chapter 18296, Laws of Florida, 1937, (Murphy Act), by former owners or their heirs, devisees or successors in title: authorizing the trustee to sell and convey such property including any metal, mineral or petroleum rights and fixing the compensation to be paid therefor and limiting the time within which conveyances may be made.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Thomas—

S. B. No. 357—A bill to be entitled An Act amending Chapter 1991, General Laws of Florida, 1935, by adding Section 2½, authorizing the issuance of promissory notes, debentures, revenue certificates, certificates of indebtedness, revenue bonds, and other obligations by the Escambia River Bridge Authority; providing the terms to be included in such obligations and the sources of revenue for the retirement thereof; providing remedies for the holders of such obligations in event of default.

Which was read the first time by title only and referred to the Committee on Judiciary "B" and the Committee on Finance and Taxation, in the order named.

By Senator Thomas—

S. B. No. 358—A bill to be entitled An Act authorizing the Trustees of the Internal Improvement Fund and any State Board, State Commission, State Authority, or other State Agency or Corporation, to convey, transfer, lease and assign any right, title or interest in and to any real estate owned by it to any other State Board, State Authority, State Commission, or other State Agency or Corporation or to the Trustees of the Internal Improvement Fund, and providing for the manner of the execution of such instruments.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Thomas—

S. B. No. 359—A bill to be entitled An Act authorizing the issuance of promissory notes, debentures, revenue certificates, certificates of indebtedness, time warrants, revenue bonds and other obligations by any State Board, Commission, or Authority, and any special road and bridge district, bridge district, port district, port authority, bridge authority, airport authority, road and bridge commission, bridge commission, or any other commission, district or authority created by or under any general or special law to do, perform or accomplish any municipal or public purpose: providing the terms to be included in such obligations and the sources of revenue for the retirement thereof: providing remedies for the holders of such obligations in event of default and authorizing the waiver of exemption from forced sale under execution under certain circumstances.

Which was read the first time by title only and referred

to the Committee on Judiciary "B" and the Committee on Finance and Taxation, in the order named.

By Senator Thomas—

S. B. No. 360—A bill to be entitled An Act providing for the redemption of property owned by any County which has been acquired as a result of foreclosure for non payment of taxes by former owners, or their heirs, devisees or successors in title; authorizing counties to sell and convey such property and fixing the consideration to be paid therefor; and limiting the time during which the counties may make conveyance.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Moon—

S. B. No. 361—A bill to be entitled An Act to amend Section 398.02 and 398.18 Florida Statutes of 1941, relating to narcotic drugs, defining such drugs and habitual users, manufacturers and wholesalers, prescribing commitment, treatment and confinement of habitual users, duties of prosecuting attorney judges, narcotic officers, superintendent of state prison, providing for certain reports, rules and regulations, authorizing narcotic officers to administer oaths, providing penalties for falsely representing or interfering with narcotic officers, repealing all laws in conflict with same.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator McArthur—(By Request)

S. B. No. 362—A bill to be entitled An Act to amend Section 204.01, Laws of Florida 1941, relating to chain store taxes and the definitions thereunder by further defining "a retail sale or 'sale at retail'" and the exclusions therefrom.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Coleman (28th Dist.)—

S. B. No. 363—A bill to be entitled An Act authorizing the Town Council of the Town of Edgewater, Florida, to compromise, settle and adjust delinquent taxes which are or may become unpaid for a period of over three years, and prescribing the method whereby such adjustments may be made.

Which was read the first time by title only.

Senator Coleman (28th Dist.) moved that the rules be waived and Senate Bill No. 363 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 363 was read the second time by title only.

Senator Coleman (28th Dist.) moved that the rules be further waived and Senate Bill No. 363 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 363 was read the third time in full.

Upon the passage of Senate Bill No. 363 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 363 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Coleman (28th Dist.)—

S. B. No. 364—A bill to be entitled An Act authorizing the Town Council of the Town of Edgewater, Florida to assess costs of lot cleaning, and trash and brush removal against the lands from which such trash or brush shall be cleaned or removed, and providing a method for the collection of the cost thereof by adding the same to the taxes assessed against

said land in each year and the sale of such land for non-payment thereof.

Which was read the first time by title only.

Senator Coleman (28th Dist.) moved that the rules be waived and Senate Bill No. 364 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 364 was read the second time by title only.

Senator Coleman (28th Dist.) moved that the rules be further waived and Senate Bill No. 364 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 364 was read the third time in full.

Upon the passage of Senate Bill No. 364 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Sheldon
Beacham	Coleman 28th	Lewis	Shands
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 364 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Moon—

S. B. No. 365—A bill to be entitled An Act providing for the incorporation, qualifying, application for license, licensing and regulation of corporations not for profit for the purpose of operating hospital service plans, exempting such corporation from insurance laws in conflict with this Act, subjecting such corporations to taxation, requiring approval of contracts and rates of such corporations with subscribers and hospitals, requiring reports or statements, providing for investment of funds, establishing reserves, establishing method of reviewing disputes, establishing method of dissolution or liquidation of such corporations, providing for revocation of license of such corporation, regulation of agents of such corporation, providing for examination of books of such corporation, providing for service of process, providing for the qualification of existing corporation, providing for effect of invalidity of section or portion thereof, providing penalties for the violation of the provisions of this Act and repealing all laws in conflict therewith.

Which was read the first time by title only and referred to the Committee on Insurance and the Committee on Public Health, in the order named.

By Senators McArthur, Davis, Barringer, Griner, Lindler, Bryant, Thomas, Sanchez, Black, Sheldon, Clarke, Perdue, Carroll, Johnson, Johns, Fraser (31st Dist.), Fraser (29th Dist.), Beacham, Gray, King (27th Dist.), Coleman (13th Dist.), King (7th Dist.), Branch, Brackin, Riddle, Shands, Ausley, Mathews, Wilson, Moon and Coleman (28th Dist.)—

S. B. No. 366—A bill to be entitled An Act making appropriation for providing buildings and other facilities for State Departments, Agencies and Institutions and for postwar conversion and providing for a State Building Fund.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator McArthur—

S. B. No. 367—A bill to be entitled An Act to repeal Chapter 420 Florida Statutes 1941, creating the Florida State Improvement Commission.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Brackin—

S. B. No. 368—A bill to be entitled An Act appropriating funds for aid to dependent children supplementing funds made available for that purpose by Section 409.22 and 320.73, Florida

Statutes 1941, prescribing the duties of certain State Officers in the matter of transferring funds hereby appropriated, and repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Sturgis—

S. B. No. 369—A bill to be entitled An Act to amend Section 443.10, Florida Statutes 1941, relating to the unemployment compensation fund; by providing for contents of such fund; by making the monies in such fund continually available for the payment of benefits; by providing for a benefit trust fund; by designating the Florida Industrial Commission as trustee of such fund; by providing that the payment of benefits be made by the Florida Industrial Commission as trustee of such fund; by providing that the treasurer shall be liable on his general bond; by providing for the bonding of the Industrial Commission; by providing for auditing of the accounts of the commission in the handling of such monies; repealing all laws in conflict herewith and making this Act effective July 1, 1945.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Baynard—

S. B. No. 370—A bill to be entitled An Act to amend Sections 95.16 and 95.17 of the Florida Statutes 1941, relating to adverse possession under color of title; redefining adverse possession under color of title and prescribing what shall be deemed to constitute possession and occupation under color of title; and making adverse possession as defined retroactive.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Beacham—

S. B. No. 371—A bill to be entitled An Act to change the name of the municipal corporation known as the Town of Belle Glade, in Palm Beach County, Florida, which was created and established in Palm Beach County, Florida, by Chapter 15082, Laws of Florida, Acts of 1931, and as amended by subsequent Acts, to the name, City of Belle Glade; repealing all Acts or parts of Acts in so far as they conflict with this Act; providing for a referendum.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 371 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 371 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 371 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 371 was read the third time in full.

Upon the passage of Senate Bill No. 371 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 371 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 372—A bill to be entitled An Act to authorize and empower the City of Lake Worth, Florida, by and through the City Commission, to levy a tax for the purpose of augmentation of the Firemen's Relief and Pension Fund of such City of Lake Worth, Florida.



Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 372 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 372 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 372 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 372 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 372 was read the third time in full.

Upon the passage of Senate Bill No. 372 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 372 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Ausley and Johnson—

S. B. No. 373—A bill to be entitled An Act to amend Chapter 420 of the Florida Statutes 1941, creating the Florida State Improvement Commission and providing for its composition, appointment, purposes, method of operation, powers, duties and appropriation therefor, by amending Section 420.02, 420.04, 420.06, 420.08, 420.09 and 420.11, Florida Statutes 1941, and repealing all laws inconsistent therewith.

Which was read the first time by title only and referred to the Committee on Public Utilities and the Committee on Finance and Taxation, in the order named.

By Senator Mathews—

S. B. No. 374—A bill to be entitled An Act to validate, legalize and confirm the assessment, levy and collection of taxes and assessments for the years 1932 to 1944, both inclusive, by the town of Neptune Beach, Florida.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 374 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 374 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 374 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 374 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 374 was read the third time in full.

Upon the passage of Senate Bill No. 374 the roll was called and the vote was:

Yeas—35.

Mr. President	Black	Carroll	Fraser 29th
Ausley	Boyle	Clarke	Fraser 31st
Barringer	Brackin	Coleman 13th	Gray
Baynard	Branch	Coleman 28th	Johns
Beacham	Bryant	Davis	Johnson

King 7th	Mathews	Riddle	Sturgis
King 27th	McArthur	Sanchez	Thomas
Lewis	Moon	Shands	Wilson
Lindler	Perdue	Sheldon	

Nays—None.

So Senate Bill No. 374 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 375—A bill to be entitled An Act to amend Section One (1) of Chapter 22167, Laws of Florida, Acts of the Legislature 1943, entitled, "An Act relating to the Justices of the Peace and the Justice of the Peace Courts; fixing a yearly compensation for the Justices of the Peace; providing for a clerk or stenographer of the Justice of the Peace Court; providing that all fees collected shall be trust money and properly deposited in a public depository and delivered to the General Fund of the counties monthly; providing for a report to the County Commission of all fees collected; providing for this Act to apply in all counties of the State having a population of two hundred sixty thousand (260,000) or more, according to the last preceding State or Federal Census, whichever may be the later; to repeal all laws in conflict herewith"; and providing that the provisions of said Act shall be applicable and relate to each county in the State of Florida having a population of two hundred sixty-seven thousand (267,000) inhabitants or more, according to the last Federal Census.

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 375 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 375 was read the second time by title only.

Senator Mathews moved that the rules be further waved and Senate Bill No. 375 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 375 was read the third time in full.

Upon the passage of Senate Bill No. 375 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 375 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 376—A bill to be entitled An Act to amend Section fifteen (15) of Chapter 22169, Laws of Florida, Acts of the Legislature 1943, entitled, "An Act relating to the justices of the peace and inquests of the dead in all counties of the state having a population of two hundred sixty thousand (260,000) or more, according to the last preceding State or Federal Census, whichever may be the later; abolishing coroner's juries and abolishing coroner's fees in such counties; providing that justices of the peace shall hold inquests of the dead and to be deemed coroner without compensation other than their fixed salary as justices of the peace; providing the testimony be reduced to writing without compensation other than fixed per annum salary of the clerk or stenographer of the justice of the peace; providing for clerk to be a stenographer; providing for the county health officer, the county physician or any of their assistants or deputies to examine the dead or make an autopsy without fee, compensation or reward other than their fixed salary as such county health officer, county physician, assistant or deputy; to repeal all other laws or parts of laws in conflict herewith; to determine, find and declare that the classification of counties as

specified in this Act is reasonably justifiable, and not based solely on population but also upon other facts, considerations and circumstances"; and providing that the provisions of said Act shall be applicable and relate to each county in the State of Florida having a population of two hundred sixty-seven thousand (267,000) inhabitants or more, according to the last Federal Census.

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 376 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 376 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 376 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 376 was read the third time in full.

Upon the passage of Senate Bill No. 376 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 376 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

S. B. No. 377—A bill to be entitled An Act to amend Section one (1) of Chapter 21915, Laws of Florida, Acts of the Legislature 1943, entitled, "An Act creating a Small Claims Court in each County in the State of Florida having a population of 260,000 or more, according to the last State or Federal Census whichever may be the later; prescribing the jurisdiction of said court; providing for the Justice of the Peace to be the Judges of said Court; prescribing for the pleading, practice and service of notice of proceedings therein; providing for a clerk and prescribing their duties"; and providing that the provisions of said Act shall be applicable to each County in the State of Florida having a population of 267,000 inhabitants or more, according to the last Federal Census.

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 377 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 377 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 377 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 377 was read the third time in full.

Upon the passage of Senate Bill No. 377 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 377 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator King (7th Dist.) moved that the rules be waived and the hour of adjournment be extended until 9:00 o'clock P. M., this day.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Beacham moved that the rules be waived and that when the Senate adjourns today it adjourn to reconvene at 4:00 o'clock P. M., Monday, May 7, 1945.

Which was agreed to by a two-thirds vote and it was so ordered.

By Senator McArthur—

S. B. No. 378—A bill to be entitled An Act to provide for the equal division between and payment to the Board of County Commissioners and Board of Public Instruction of Nassau County, Florida, of all monies apportionable and distributable to said County under the provisions of Chapter 550, Florida Statutes 1941, relating to dog racing and horse racing, or any amendments thereto.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 378 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator McArthur moved that the rules be waived and Senate Bill No. 378 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 378 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 378 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 378 was read the third time in full.

Upon the passage of Senate Bill No. 378 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 378 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Ausley and Johnson—

S. B. No. 379—A bill to be entitled An Act authorizing the State Board of Administration of the State of Florida, created by and existing under Section 16 of Article IX of the Constitution, to approve the issuance of either general or limited obligations or revenue bonds by any city, town, county, district or government unit or agency of the State upon the application to it of such governmental unit or agency, and granting to said State Board of Administration certain rights, powers and authority with reference to payment and provision for payment of bonds approved by it, including the power to impose conditions as a prerequisite to its approval, to make rules and regulations for the exercise of the power granted, and providing for the compensation and expenses incurred by State Board of Administration in the exercise of such powers.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Mathews—

S. B. No. 380—A bill to be entitled An Act to give honorably discharged veterans preference in employment by civil service boards of all political subdivisions, including municipal cor-

porations, affected by civil service laws.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By the Committee on Finance and Taxation—

S. B. No. 381—A bill to be entitled An Act to amend Section 561.12, Florida Statutes 1941, providing for the deposit and disposition of funds collected by the State under the beverage law.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senators Shands and Perdue—

S. B. No. 382—A bill to be entitled An Act to declare, establish and designate a certain state road.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senators Johnson, Rose and Sanchez—

S. B. No. 383—A bill to be entitled An Act to amend Sections 201.02 and 201.08, Florida Statutes 1941, relating to the imposition of an excise tax on documents to raise revenue for the support of the State Government.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By the Committee on Finance and Taxation—

S. B. No. 384—A bill to be entitled An Act imposing an additional tax upon gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such taxes, and the apportionment thereof to the General Revenue Fund of the State, and to the County School Fund; providing that the Gasoline Inspection Laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other political subdivisions of gasoline taxes; providing for the enforcement of this Act, and penalties for violation hereof.

Which was read the first time by title only.

Senator Shands moved that the rules be waived and Senate Bill No. 384 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 384 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 384 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 384 was read the third time in full.

Upon the passage of Senate Bill No. 384 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So Senate Bill No. 384 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baynard (By Request)—

S. B. No. 385—A bill to be entitled An Act defining, licensing and regulating the aviation industry in this State; creating the Florida Aeronautical Commission and prescribing its jurisdiction, powers and duties; fixing the procedure for the grant, suspension or revocation of licenses required hereunder; authorizing the establishment and operation of State airports, a State system of airways and the acquisition, ownership, sale or lease of real and personal property necessary therefor; transferring to the commission certain lands owned or held by the State Road Department under the provisions of Chapter 14643, Laws of Florida, 1931; permitting cancellation of taxes and assessments upon lands owned by the Commission;

establishing a mode of judicial review of all orders of the Commission and providing penalties for violations of this Act or of rules promulgated by the Commission under the authority thereof.

Which was read the first time by title only and referred to the Committee on Finance and Taxation and the Committee on Aviation, in the order named.

By Senator Sheldon—

S. B. No. 386—A bill to be entitled An Act for the relief M. Leo Elliott.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Johns—

S. B. No. 387—A bill to be entitled An Act to provide the auditing and examination under the direction and supervision of the Comptroller of all accounts, books, warrants, papers and transactions of all State officials, and of the officers of the several counties of the State; to prescribe the necessary powers and duties for carrying out the purposes and provisions of this Act; to prescribe the duties of State and County officers with reference to the auditing of the affairs; books of their offices; to make appropriations for carrying out the provisions of this Act; to repeal Chapter 21 Florida Statutes 1941, and Chapter 21920, Acts of 1943, and to repeal all other laws in conflict with the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

Senator Mathews moved that Senate Bills Nos. 319, 337, 328 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Johnson moved that Senate Bill No. 284 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Sheldon moved that Senate Bill No. 83 be recalled from the Committee on Education.

Which was agreed to and it was so ordered.

By unanimous consent Senator Sheldon withdrew Senate Bill No. 83.

Senator Sheldon made the following explanation of motion:

"My motion to withdraw Senate Bill No. 83 is made at request of the Chairman of the Committee on Education clear the records of the Senate. The Senate has previously passed a like bill increasing State Aid to the Teachers Salary Fund."

(Signed) RAYMOND SHELDON,  
34th District

Senator Lewis moved that Senate Bill No. 313 be recalled from the Committee on Judiciary "A".

Which was agreed to and it was so ordered.

Senator Lewis moved that Senate Bill No. 313 be referred to the Committee on Insurance.

Which was agreed to and it was so ordered.

Senator Brackin moved that Senate Bill No. 259 be recalled from the Committee on Public Health.

Which was agreed to and it was so ordered.

By unanimous consent Senator Brackin withdrew Senate Bill No. 259.

Senator McArthur moved that Senate Bill No. 367 be recalled from the Committee on Judiciary "B".

Which was agreed to and it was so ordered.

By unanimous consent Senator McArthur withdrew Senate Bill No. 367.

Senator Beacham moved that Senate Bill No. 299 be referred to the Committee on Drainage and Water Conservation.

Which was agreed to and it was so ordered.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 3, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has indefinitely postponed—

By Senator Coleman (13th Dist.)—

S. B. No. 188—A bill to be entitled An Act to amend Section 36.04 of Chapter 36 of Florida Statutes, 1941, and being as follows: "Clerk.—Every county judge shall have power to appoint a clerk of his court, and the said clerk shall be paid by the said judge and may exercise all non-judicial functions which the judge may perform, and in every county where there are more than one hundred thousand inhabitants the county judge of such county shall have the power to appoint two clerks of his court, and the said clerks shall be paid by the said judge and each may exercise all non-judicial functions which the judge may perform", by providing that every county judge shall have power to appoint a clerk of his court, and in every county where there are more than one hundred thousand population according to the last or any future official State or Federal Census, for the appointment of more than one and not more than four (4) clerks of his court, and providing how said clerk or clerks shall be paid and what functions they shall exercise, and their term of appointment.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 3, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senators Mathews, Fraser (29th District), and McArthur—

S. B. No. 29—A bill to be entitled An Act to provide for an additional Circuit Judge for the Fourth Judicial Circuit of Florida as authorized by Florida Constitution on basis of population thereof; and fixing his powers, duties and compensation.

By Senator Wilson—

S. B. No. 160—A bill to be entitled An Act to designate and declare the name of the State Chemistry Building in Tallahassee, Florida to be "The Nathan Mayo Building", in tribute to the Honorable Nathan Mayo, Commissioner of Agriculture of the State of Florida.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 29 and 160, contained in the above Message, were referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 3, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senators Mathews, Ausley, Barringer, Baynard, Beacham, Carroll, Coleman (28th Dist.), King (27th Dist.), Moon, Sanchez and Wilson—

S. B. No. 186—A bill to be entitled An Act to amend Sections 470.01, 470.02, 470.04, 470.08, 470.10, 470.13, 470.23 and 470.28, Florida Statutes 1941, all relating to the State Board of Funeral Directors and Embalmers for the State of Florida and to the practice of the professions of funeral directing and em-

balming; to amend Section 470, Florida Statutes 1941, by adding an additional section to be known as Section 470.29, providing a supplemental and additional method of procedure for revocation or suspension of licenses by direct application to circuit courts.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 186, contained in the above Message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Ray and Fuqua of Manatee—

H. B. No. 383—A bill to be entitled An Act to declare, establish and designate a certain State road in Manatee County, Florida.

By Messrs. Bollinger and Elliott of Palm Beach—

H. B. No. 413—A bill to be entitled An Act to declare, designate and establish certain roads in Palm Beach County as State Roads.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 383 and 413, contained in the above Message, were read the first time by titles only and referred to the Committee on Public Roads and Highways.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Peeples of Glades—

H. B. No. 452—A bill to be entitled An Act amending Section 99, Chapter 10923, Laws of Florida, Acts of 1925, the same being entitled "An Act to abolish the present municipality of the City of Moore Haven, in Glades County, Florida; to create and establish a new municipality to be known as the City of Moore Haven, in Glades County, Florida; to legalize and validate the ordinances of said City of Moore Haven, and official Acts thereunder; to fix and provide the territorial limits, jurisdiction and powers of the City of Moore Haven, in Glades County, Florida and the jurisdiction and powers of its officers." So as to provide for the collection of delinquent taxes by the city clerk-collector and for the issuance by him of tax certificates and tax deeds, to provide for the payments of interest and costs in connection with such delinquent taxes, to prescribe the procedure to be followed in the handling and collection of delinquent taxes and the issuance of tax certificates and tax deeds and to provide for the issuance of tax deeds to the City of Moore Haven under certain circumstances.

Proof of Publication of Notice attached to the above bill.

By Messrs. Bollinger and Elliott of Palm Beach—

H. B. No. 438—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Palm Beach County, Florida, to levy an annual tax not exceeding two-tenths of a mill each year for contribution on the part of said county toward the expense of providing and maintaining a service officer or service officers or service office in said county to aid and serve discharged veterans who served in the armed forces of the United States in the second world war; authorizing and empowering said board of county com-

missioners to pay from its 1944-1945 budget not to exceed the sum of four thousand dollars (\$4,000.00) budgeted therein toward the expense of such service officer or service officers or service office during the calendar year 1945 according to terms and conditions to be provided by resolution of said board of county commissioners.

Proof of Publication of Notice attached to the above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 452, contained in the above Message, was read the first time by title only.

Senator King (27th Dist.) moved that the rules be waived and House Bill No. 452 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 452 was read the second time by title only.

Senator King (27th Dist.) moved that the rules be further waived and House Bill No. 452 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 452 was read the third time in full.

Upon the passage of House Bill No. 452 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So House Bill No. 452 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 438, contained in the above Message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 438 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 438 was read the second time by title only.

Senator Beacham moved that the rules be further waived and House Bill No. 438 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 438 was read the third time in full.

Upon the passage of House Bill No. 438 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So House Bill No. 438 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Middleton of Putnam—

H. B. No. 423—A bill to be entitled An Act to abolish the present municipal government of the Town of Pomona, in the County of Putnam, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the town of Pomona Park; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges, and for the exercise of same.

Proof of Publication of Notice attached to the above bill.

By Messrs Okell, Peters and Oelkers of Dade—

H. B. No. 442—A bill to be entitled An Act creating in the City of Miami Beach a system of pensions for disability and retirement from service of members of police and fire departments employed by appointment or otherwise in said department in said City, and to provide a fund in said City to be known as the City Pension Fund for Firemen and Policemen and providing further for the creation of a board of trustees in said City, prescribing the powers and duties of such board, providing for the payment of certain sums to all persons employed in the fire and police departments in said City as shall have retired and have been retired and their dependents, to further prescribe the qualifications as to who shall be eligible and who shall receive a pension under this Act; providing for the investment and the safekeeping of the funds created under this Act; providing for the regulation of the subject of pensions to all persons entitled to receive the same and to provide rules and regulations for the administration of the fund created hereunder; providing for the levy of ad valorem and excise taxes for said pension fund; and providing for the enforcement of this Act, and providing for the submission of said Act to a referendum of the qualified voters of said city.

Proof of Publication of Notice attached to the above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 423 and 442, contained in the above Message, were read the first time by titles only and placed on the Calendar of Local Bills on second reading.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Harris, Clement and Miss Baker of Pinellas—

H. B. No. 321—A bill to be entitled An Act to amend Section 409.15, Florida Statutes, 1941, relating to establishment and operation of certain institutions by the State Welfare Board and granting certain discretionary powers to the State Board of Health and State Welfare Board in connection therewith.

By Messrs. Yeomans of Citrus and Carraway of Leon—

H. B. No. 82—A bill to be entitled An Act relating to the Operation and regulation of Plants for the Processing, Preservation and Cold Storage of food and providing remedies and penalties for violation hereof.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 321, contained in the above Message.

was read the first time by title only and referred to the Committee on Welfare.

And House Bill No. 82, contained in the above Message, was read the first time by title only and referred to the Committee on Finance and Taxation.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Carlton of Duval—

H. B. No. 337—A bill to be entitled An Act to repeal Sections 561.03, 561.10 and 561.61, Florida Statutes 1941, relating to officers, employees, auditors, and supervisors of the State Beverage Department, salaries and other expenditures; to amend Section 561.06, Florida Statutes 1941, as amended by Section 2, of Chapter 21839, Laws of Florida, Acts of 1943, providing for the appointment and discharge of supervisors, their salaries and bonds; to amend Section 561.07, Florida Statutes 1941, granting to supervisors powers and duties under the beverage act and under the cigarette tax act; to amend Section 561.11, Florida Statutes 1941, providing for the employment of employees and assistants of the State Beverage Department and making appropriation for salaries and expenses with limitation; to amend Section 561.17, Florida Statutes 1941, providing for applications for license, form and contents of application and qualifications required; to amend Section 561.25, Florida Statutes 1941, prohibiting officers or employees of Beverage Department and officers with State police power from being employed by or engaging in beverage business with penalties; to amend Section 561.29, Florida Statutes 1941, as amended by Section 4, of Chapter 21839, Laws of Florida, Acts of 1943, granting to Beverage Director or any assistant designated by Director, power of subpoena and right to enforce the attendance of witnesses, to administer oaths and to hold hearings upon revocation of licenses and granting to Beverage Director right to revoke licenses; to amend Section 561.43, Florida Statutes 1941, prohibiting manufacturers or distributor's license in dry counties with exceptions; to amend Section 561.47, Florida Statutes 1941, as amended by Section 3, of Chapter 22026, Laws of Florida, Acts of 1943, relating to the sale of stamps and providing for a discount and granting to beverage director authority to promulgate rules and regulations; to amend Section 561.52, Florida Statutes 1941, granting to all white male employees of the State Beverage Department the authority and power that is conferred on supervisors; to amend Section 561.54, Florida Statutes 1941, prohibiting common, permit or privately owned carriers from delivering alcoholic beverages in Florida except to certain persons, firms or corporations; and to repeal all laws or parts of laws in conflict with this Act.

By Mr. Carlton of Duval—

H. B. No. 336—A bill to be entitled An Act to punish the sale, gift, barter or exchange of intoxicating liquors to any person addicted to the use of said intoxicating drinks, after written notice has been given that said intoxicating drinks are harmful to a member or members of the family of person so addicted, or person so using.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bills Nos. 337 and 336, contained in the above Message, were read the first times by titles only and referred to the Committee on Temperance.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1945 Session of the Florida Legislature—

By Messrs Jernigan and Darby of Escambia—

H. J. R. No. 277—A Joint Resolution proposing an amendment to Article V of the Constitution of Florida by adding thereto an additional section relating to the election of the Judge of the Court of Record in and for Escambia County and the County Solicitor of said county.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That Article V of the Constitution of the State of Florida be amended by adding thereto an additional section to be known as Section 48 of said Article, relating to the election of the Judge of the Court of Record in and for Escambia County and the County Solicitor of said county and the same is hereby agreed to, and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, 1946, as follows:

"Section 48. The Judge of the Court of Record in and for Escambia County and the County Solicitor of said county shall hereafter be elected by the qualified electors of said county as other state and county officials are elected.

"The first election of the Judge of the Court of Record in and for Escambia County and of the County Solicitor of said county shall be held at the General Election in 1948, to take office the first Tuesday after the first Monday in January, 1949, for a term of four years."

"The term or tenure of office of anyone heretofore or hereafter appointed to either of the offices herein mentioned shall not be extended hereby. Any vacancy in either of said offices which occurs prior to said first Tuesday after the first Monday in January, 1949, shall be filled by appointment by the Governor and confirmation by the Senate as heretofore provided by the Constitution, but in no case for any longer than until the first Tuesday after the first Monday in January, 1949, and the term or tenure of office of anyone appointed to either of said offices for the term beginning in 1947 shall expire on said first Tuesday after the first Monday in January, 1949."

"Any provision of the Constitution in conflict herewith is hereby repealed."

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Joint Resolution No. 277, contained in the above Message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Holland, McDonald and McMullen of Hillsborough, Hancock of Madison, Turner and Shepperd of St. Johns, Ayers of Gilchrist, McKendree of Nassau, Okell of Dade, Morgan, Crews and Carlton of Duval, Taylor of Hardee, Rivers of Clay, MacGowan of Gadsden, Jenkins of Alachua, Saunders of St. Lucie, Stewart of Lee, Lanier of Highlands, Delegal of Suwannee, Smith of Polk, Wainwright of Bradford and Kelly of Collier—

H. B. No. 211—A bill to be entitled An Act to amend Chapter 20446, Laws of Florida of 1941, entitled "An Act to regulate outdoor advertising outside of the corporate limits of cities and incorporated towns in sight of public highways; to provide for licensing persons engaged in the business of outdoor advertising and for the issuance of permits for advertisements



and advertising structures; to prohibit certain advertisements and advertising structures, and to provide for the removal of advertisements and advertising structures illegally posted, displayed, erected, used or maintained; to prescribe the powers and duties of certain officers relating thereto; and to prescribe penalties for violations of this Act" by providing a penalty for removing, destroying, damaging, injuring, defacing or tampering with any licensed structure or the advertisement thereon and by providing that the identification label or marker furnished the permittee for attachment to such structure shall give notice of the existence of such penalty.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 211, contained in the above Message, was read the first time by title only and referred to the Committee on Publicity and Advertising.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Smith and Mann, of Seminole—

H. B. No. 430—A bill to be entitled An Act relating to the purchase, sale, lease, exchange, dedication, transfer, and conveyance of real property by the County of Seminole, in the State of Florida.

Proof of Publication of Notice attached to the above bill.

By Mr. Carswell, of Washington—

H. B. No. 433—A bill to be entitled An Act relating to public roads and bridges in Washington County, Florida; providing that the State Road Department of Florida shall take over the construction, reconstruction, maintenance, supervision and control of all graded public roads and bridges in said county other than roads designated as state roads and maintained by said department under the general laws of said state; providing that the board of county commissioners of said Washington County shall have prepared and filed in the office of the clerk of the circuit court of said county a map of said graded public roads and bridges to be so taken over by said department, and that newly created and established roads and bridges may be added to said map from time to time, providing that said board of county commissioners shall make available to said State Road Department all funds received by said board under Section 16 of Article 9 of the Constitution of said state, and that said board of county commissioners may make available to said State Road Department from the general road and bridge fund of said county such additional funds as might be required for the adequate aforesaid construction, reconstruction and maintenance of said graded public roads and bridges, and that said State Road Department shall use said funds for said purposes; providing that said State Road Department shall use all surplus funds received by it under said Section 16 of Article 9 as its eighty per cent share of surplus funds referred to therein and distributed for use in said Washington county for the construction, reconstruction and maintenance of the aforesaid graded public roads and bridges and also State roads and bridges within said Washington county; providing that the aforesaid graded public roads and bridges to be so taken over by said State Road Department are state projects and undertakings, providing that said State Road Department and said board of county commissioners may enter into agreements for the employment by said department of all able-bodied, male convicts of said county for public road work in said county on an hourly rental basis to be paid out of the surplus funds received by said board under the constitutional provision; providing that said State Road Department shall take over, maintain and use the road equipment, machinery and supplies of said county, providing, should any part of said Act be held invalid by a court of competent jurisdiction, that the remaining portions of said Act shall remain in effect; providing when said Act shall expire; and providing when said Act shall take effect.

Proof of Publication of Notice attached to the above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 430, contained in the above Message, was read the first time by title only.

Senator Boyle moved that the rules be waived and House Bill No. 430 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 430 was read the second time by title only.

Senator Boyle moved that the rules be further waived and House Bill No. 430 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 430 was read the third time in full.

Upon the passage of House Bill No. 430 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So House Bill No. 430 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 433, contained in the above Message, was read the first time by title only.

Senator Gray moved that the rules be waived and House Bill No. 433 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 433 was read the second time by title only.

Senator Gray moved that the rules be further waived and House Bill No. 433 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 433 was read the third time in full.

Upon the passage of House Bill No. 433 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So House Bill No. 433 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

*Hon. Walter W. Rose,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Crews of Duval—

H. B. No. 307—A bill to be entitled An Act repealing Chapter 12704, Laws of Florida, Acts of 1927, as amended by Chapter 15675, Laws of Florida, Acts of 1931; and providing for the employment, duties and compensation of special investigators for the State Attorney of all judicial Circuits in the State of Florida containing a county having a population of 200,000 or more, according to the latest Federal Census, to assist the said State Attorney of such Circuits in the detection and investigation of crimes within such County of such Circuit; which Special Investigator provided for and authorized by this Act shall not operate or conduct investigations in any county in said Circuit other than in such County having a population of 200,000 or more, according to the latest Federal Census; and providing for the compensation of such Special Investigators and how it shall be paid.

By Messrs. Dowda and Middleton of Putnam—

H. B. No. 355—A bill to be entitled An Act to declare, designate and establish a certain road in Putnam County, Florida, as a state road and to authorize the State Road Department to permit the use of part of right-of-way for railway purposes.

By Mr. Nesmith of Wakulla—

H. B. No. 361—A bill to be entitled An Act to designate and establish certain State Road in Wakulla County, Florida, and providing that said designated road be given an appropriate State number.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 307, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B".

And House Bills Nos. 355 and 361, contained in the above Message, were read the first time by titles only and referred to the Committee on Public Roads and Highways.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 2, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, by the required Constitutional two-thirds vote of the Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Lewis of Gulf—

House Bill No. 1034 (1943 Session):

An Act authorizing and directing the Board of County Commissioners of Gulf County, Florida, to transfer any moneys now held in the depository of Gulf County, Florida, in the "Calhoun County Road Bond Fund, January 1, 1919," in the "Calhoun County Road Bond Fund, January 1, 1923," and in the \$40,000.00 T. W. I. & S. account to the General Revenue Fund of Gulf County, Florida.

Proof attached.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 1034 (1943 Session), contained in the above Message, was read by title, together with the following objections thereto of the Honorable Spessard L. Holland, former Governor of Florida:

House Bill No. 1034 (1943 Session):

An Act authorizing and directing the Board of County Commissioners of Gulf County, Florida, to transfer any moneys

now held in the depository of Gulf County, Florida, in the "Calhoun County Road Bond Fund, January 1, 1919," in the "Calhoun County Road Bond Fund, January 1, 1923," and in the "\$40,000.00 T. W. I. & S." account to the General Revenue Fund of Gulf County, Florida.

Was taken up with the following Veto Message:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT

Tallahassee

June 14, 1943.

Honorable R. A. Gray,  
Secretary of the State,  
The Capitol.

Sir:

By authority of Section 28, Article 3 of the Constitution of this State, I transmit herewith House Bill 1034, 1943 Session, entitled:

"An Act authorizing and directing the Board of County Commissioners of Gulf County, Florida, to transfer any moneys now held in the depository of Gulf County, Florida, in the Calhoun County Road Bond Fund, January 1, 1919," in the "Calhoun County Road Bond Fund, January 1, 1923," and in the \$40,000.00 T. W. I. & S. account to the General Revenue Fund of Gulf County, Florida."

From which I withhold my approval for the following reasons, to-wit:

The provisions of this bill are in conflict with Senate Bill No. 44, a general bill already enacted into law under which all excess funds created for the purpose of servicing road and bridge bonds being administered by the State Board of Administration by ad valorem taxation, tax redemptions based thereon or proceeds realized from investments of such funds by the State Board of Administration or its predecessor the Board of Administration shall be transferred and used to service the indebtedness of each respective taxing unit of like nature, that is to say that if the excess occurs in a county-wide account the same shall be transferred to apply to other outstanding county-wide bonds of the same nature, and if district funds to the retirement of other outstanding road and bridge bonds of the district or if there are no such other outstanding bonds of the district, to the county-wide road and bridge bond fund.

Senate Bill No. 44 was drafted and proposed for the purpose of making available all ad valorem tax funds and other funds originally appropriated to specific purposes to purposes of like nature and within the spirit and intent of Section 16 of Article 9 of the Constitution, and amendment adopted at the General Election of 1942 and which became effective January 1, 1943.

This bill apparently sanctions the transfer to the general purposes of the county all moneys held in the depository of Gulf County which, according to reliable information furnished me were raised for the purpose of servicing road and bridge bonded indebtedness originally incurred by Calhoun County but later assumed by Gulf County and being administered by the State Board of Administration. The bill would not be binding upon the State Board of Administration but it is not clear that the funds involved are not held by the State Board of Administration but by the county itself. If the latter is true then the funds ought to be deposited with the State Board of Administration as it is now by virtue of Section 16 of Article 9 of the Constitution entitled to all the assets and moneys raised by the several counties and special road and bridge districts whose road and bridge bonded indebtedness is being administered by the State Board of Administration.

For the reasons stated I veto the bill.

Respectfully yours,

/s/ SPESSARD L. HOLLAND,  
Governor.

Senator Gray asked unanimous consent of the Senate to take up and consider House Bill No. 1034 (1943 Session), out of its order, at this time.

Which was agreed to.

The President put the question "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 1034 (1943 Session) the roll was called and the vote was:

Yeas—33.

Mr. President	Bryant	Johns	Riddle
Ausley	Carroll	Johnson	Sanchez
Barringer	Clarke	King 7th	Shands
Baynard	Coleman 13th	King 27th	Sheldon
Beacham	Coleman 28th	Lewis	Sturgis
Black	Davis	Mathews	Thomas
Boyle	Fraser 29th	McArthur	
Brackin	Fraser 31st	Moon	
Branch	Gray	Perdue	

Nays—None.

So House Bill No. 1034 (1943 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

The motion made by Senator Boyle on May 3, 1945, that Senate Rules number 1 to 22, inclusive, be repealed, which was pending consideration at the hour of adjournment on May 3, 1945, was taken up.

The President withdrew his ruling of May 3, 1945, that a change or repeal of the rules of the Senate requires a two-thirds vote of the members voting, and announced that he was doing so in order to conserve the time of the Senate, but if the motion made by Senator Boyle failed to receive a two-thirds vote he would again rule that the motion can be adopted only by a two-thirds vote of the members voting.

Whereupon the President put the question on the motion made by Senator Boyle on May 3, 1945.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Boyle the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

Which was agreed to and the Senate repealed Senate Rules numbers 1 to 22, inclusive, of the rules adopted on April 5, 1945.

Senator Boyle moved that the rules of the Senate for the 1943 Session of the Legislature be adopted to govern the proceedings of the Senate until such time as new rules can be adopted.

Which was agreed to and it was so ordered.

Senator Sturgis moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering new rules to be adopted by the Senate.

Which was agreed to and the Senate resolved itself into a Committee of the Whole for the purpose of considering new rules to be adopted by the Senate.

The Senate arose from the Committee as a Whole and resumed its Session. Senator Sturgis moved that a committee of three be appointed to propose new rules for adoption by the Senate.

Which was agreed to.

The President appointed Senators Sturgis, Fraser (31st Dist.) and McArthur as the Committee.

Senator King (7th Dist.) moved that the Senate do now take a recess until 2:00 o'clock P. M. this day.

Which was agreed to and the Senate recessed at 12:27 o'clock P. M. until 2:00 o'clock P. M. this day.

## AFTERNOON SESSION

The Senate reconvened at 2:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Sheldon
Beacham	Coleman 28th	Lewis	Shands
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

—35.

A quorum present.

The following Reports of Committees were received:

Your Committee on Banking, Building and Loans, to whom was referred:

S. B. No. 350—A bill to be entitled An Act authorizing savings and loan associations and building and loan associations within the State of Florida to make, buy or sell loans which are insured or guaranteed by the United States or any instrumentality thereof.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

S. D. CLARKE,  
Chairman of Committee.

And Senate Bill No. 350, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Education, to whom was referred:

S. B. No. 272—A bill to be entitled An Act authorizing the State Treasurer to make photographs, microphotographs, or reproductions on film of warrants drawn against State Teachers' Salary Fund, and of vouchers or checks drawn against funds deposited with the State Treasurer by the court officials of the several counties of Florida in pursuance of Section 54.04, Florida Statutes 1941; providing for the filing and preservation of such photographs, microphotographs or reproductions on film, and the return of such warrants, checks or vouchers to the offices of the respective county officials who drew the same; providing that such photographs, microphotographs or reproductions on film shall be deemed original records, and providing a rule of evidence with respect to certified or exemplified copies thereof; repealing all laws and parts of laws in conflict herewith; and providing the effective date of this act.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

HARRISON E. BARRINGER,  
Chairman of Committee

And Senate Bill No. 272, contained in the above report was placed on the Calendar of Bills on Second Reading.

Your Committee on Education, to whom was referred:

S. B. No. 291—A bill to be entitled An Act to provide one half pint of whole milk and four ounces of fresh orange juice each school day for each child in the elementary grades of the public free schools of the State of Florida.

Have had the same under consideration, and report the same without recommendation.

Very respectfully,

HARRISON E. BARRINGER,  
Chairman of Committee

And Senate Bill No. 291, contained in the above report was referred to the Committee on Appropriations.

Your Committee on Executive Communications, to whom was referred:

Senate Bill No. 603, enacted by the Legislature of 1943, and entitled:

A Bill to be entitled An Act authorizing Boards of Count

Commissioners in all counties of the State of Florida having a population not less than ten thousand, one hundred twenty-five (10,125), and not more than ten thousand, five hundred (10,500), according to the last Federal Census, to use for any lawful county purposes any moneys which have been collected in said counties as proceeds from special earmarked Ad Valorem tax levies made to pay bonds, interest coupons, judgments, or other obligations of such county, where the bonds, interest coupons, judgments or other obligations for which the levy was made, has been paid, or refunded prior to the collection of the proceeds of such levy, and said moneys has not otherwise been appropriated, or used.

Has had the same under consideration, and recommend that the same do not pass over the Governor's veto.

Very respectfully,  
A. L. BRYANT,  
Chairman of Committee.

And Senate Bill No. 603, (1943 Session) contained in the above report, was placed on the Calendar.

Your Committee on Executive Communications, to whom was referred:

Senate Bill No. 648, enacted by the Legislature of 1943, and entitled:

"An Act to declare, designate and establish a certain State Road in Seminole County."

Have had the same under consideration, and recommend that the same do not pass over the Governor's veto.

Very respectfully,  
A. L. BRYANT,  
Chairman of Committee.

And Senate Bill No. 648, (1943 Session) contained in the above report, was placed on the Calendar.

Your Committee on Pensions and Claims, to whom was referred:

S. B. No. 124—A bill to be entitled An Act to amend Sections 291.02 and 291.04, Florida Statutes, 1941, relating to Confederate Pensions; providing for pensions for Confederate Veterans and their widows, the amount thereof and the requirements therefor.

With amendments as follows:

Amendment No. 1:

In Section 2, lines 14 and 15 (typewritten bill), strike out the words: "seven hundred eighty dollars per annum, in payments, monthly of sixty-five dollars each" and insert in lieu thereof the following: "seven hundred twenty dollars per annum, in payments, monthly, of sixty dollars each."

Amendment No. 2:

In Section 1, lines 16, 17 and 18, (typewritten bill) strike out the words: "seven hundred eighty dollars per annum, in monthly payments of sixty-five dollars each" and insert in lieu thereof the following: "seven hundred twenty dollars per annum, in monthly payments of sixty dollars each".

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
E. BERT RIDDLE,  
Chairman of Committee.

And Senate Bill No. 124, contained in the above report, together with Committee amendments thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Pensions and Claims, to whom was referred:

S. B. No. 290—A bill to be entitled An Act for the relief of Mrs. Eliza McKinney.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
E. BERT RIDDLE,  
Chairman of Committee.

And Senate Bill No. 290, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred:

S. B. No. 180—A bill to be entitled An Act to amend Section 398.02 and 398.18 Florida Statutes of 1941, relating to narcotic drugs, defining such drugs and habitual users, manufacturers and wholesalers, prescribing commitment, treatment and confinement of habitual users, duties of prosecuting attorneys, judges, narcotic officers, superintendent of State Prison, providing for certain reports, rules and regulations, authorizing narcotic officers to administer oaths, providing penalties for falsely representing or interfering with narcotic officers, repealing all laws in conflict with same.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
W. B. MOON, M. D.,  
Chairman of Committee.

And Senate Bill No. 180, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred:

S. B. No. 229—A bill to be entitled An Act to require the enrichment of flour and bread to meet certain standards of vitamin and mineral content and to fix penalties for violation of this Act.

With Amendment:

In Section 5, lines 5 and 6, (typewritten bill), in line five following the dollar sign insert the figure "300.00" and in line 6 following the word "exceed" insert the figure "30".

Have had the same under consideration, and recommend that the same do pass with amendment.

Very respectfully,  
W. B. MOON, M. D.,  
Chairman of Committee.

And Senate Bill No. 229, contained in the above report, together with Committee amendment thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred:

S. B. No. 307—A bill to be entitled An Act relating to advertising cures and sale of remedies for venereal diseases: prohibiting the advertisement of any drug, medicine or preparation for the treatment, alleviation or cure of venereal diseases; prohibiting the sale of remedies except upon the written prescription of a Physician licensed to practice medicine; providing fines for violation of this Act; and providing for the effective date of this Act.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,  
W. B. MOON, M. D.,  
Chairman of Committee.

And Senate Bill No. 307, contained in the above report, was placed on the Calendar of Bills on Second Reading.

By permission the following Message from the House of Representatives was received and read:

Tallahassee, Florida, May 4, 1945.

Hon. Walter W. Rose,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Dowda and Middleton of Putnam—

H. B. No. 501—A bill to be entitled An Act to amend Chapter 27941, Laws of Florida, Acts of 1937, relating to Florahome Drainage District.

By Messrs. Darby and Jernigan of Escambia—

H. B. No. 508—A bill to be entitled An Act cancelling and discharging the 1944 county taxes assessed against the hereinafter described property, also to cancel the 1945 taxes against the hereinafter described property, and to provide in the event either have been paid for the repayment thereof by Escambia County, Florida, to the person having paid same, upon the following described property in the City of Pensacola, Escambia County, State of Florida, to-wit: Lots 17 to 24

both inclusive and the South 30 feet of Lot 12, all in Block 18 Belmont Tract, according to map of said City copyrighted by Thomas C. Watson in 1906.

Proof of Publication of Notice attached to the above bill.

By Mr. Hendry of Okeechobee—

H. B. No. 509—A bill to be entitled An Act providing for the distribution of all monies accruing and allocated to Okeechobee County, Florida, under Chapter 14832, Laws of Florida, Acts of 1931, or any Act amendatory or supplemental thereto or any other race track acts or under Chapter 21946, Laws of Florida, Acts of 1943, or any Act amendatory or supplemental thereto; authorizing and directing the payment of \$11,000 of such funds to the Board of Public Instruction of Okeechobee County, Florida, and the remainder of such funds to the Board of County Commissioners of Okeechobee County, Florida; providing the manner in which said funds shall be paid to said Board of Public Instruction and how the same shall be expended; repealing all Acts in conflict herewith and providing when this Act shall be effective.

Proof of Publication of Notice attached to the above bill.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 501, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 508, contained in the above Message, was read the first time by title only.

Senator Thomas moved that the rules be waived and House Bill No. 508 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 508 was read the second time by title only.

Senator Thomas moved that the rules be further waived and House Bill No. 508 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 508 was read the third time in full.

Upon the passage of House Bill No. 508 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So House Bill No. 508 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 509, contained in the above Message, was read the first time by title only.

Senator Carroll moved that the rules be waived and House Bill No. 509 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 509 was read the second time by title only.

Senator Carroll moved that the rules be further waived and House Bill No. 509 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 509 was read the third time in full.

Upon the passage of House Bill No. 509 the roll was called and the vote was:

Yeas—35.

Mr. President	Bryant	Johns	Perdue
Ausley	Carroll	Johnson	Riddle
Barringer	Clarke	King 7th	Sanchez
Baynard	Coleman 13th	King 27th	Shands
Beacham	Coleman 28th	Lewis	Sheldon
Black	Davis	Lindler	Sturgis
Boyle	Fraser 29th	Mathews	Thomas
Brackin	Fraser 31st	McArthur	Wilson
Branch	Gray	Moon	

Nays—None.

So House Bill No. 509 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sturgis, as chairman of the Special Committee appointed by the President this day to propose new rules for adoption by the Senate, made the following report:

"Your committee recommends that the following rules be adopted to govern the proceedings of the Senate for the remainder of the 1945 session:

## RULES AND PROCEDURE OF THE SENATE

### RULE I

#### DUTIES OF THE PRESIDENT

1. The President shall take the chair on every Legislative day at the hour to which the Senate shall have adjourned at the last sitting, immediately call the Senate to order and on the appearance of a quorum cause the Journal of the proceedings of the last day's sitting to be read.

#### Order and Decorum

2. He shall preserve order and decorum and in case of disturbance or disorderly conduct in the lobby or galleries may cause the same to be cleared.

#### Control of Chamber

3. He shall have the general control, except as provided by rule or law, of the Senate Chamber and of the corridors and passages and of the unappropriated rooms in that part of the Capitol assigned to the use of the Senate, until otherwise ordered.

#### Questions of Order

4. He shall sign all addresses, writs, warrants and subpoenas of or issued by order of the Senate; and decide the questions of order subject to an appeal by any Senator, on which appeal no Senator shall speak more than once, unless by permission of the Senate. He may speak to points of order in preference to other Senators.

#### Voting and Division

5. He shall put questions in this form, to-wit: "As many as are in favor (as the question may be) say aye"; and after the affirmative voice is expressed, "As many as are opposed, say no"; if he doubts, or if a division is called for, the Senate shall divide, those in the affirmative of the question shall rise first from their seats, and then those in the negative, and the Secretary shall count the votes; if he still doubts, or a count is required by at least five Senators, he shall name one from each side of the question to tell the Senators in the affirmative and negative; which being reported he shall rise and state the decision.

#### Vacating Chair

6. He shall have the right to name any Senator to perform the duties of the chair but said substitution shall not extend beyond an adjournment; provided, however, that in case of his illness, absence or other inability to discharge his duties, the President pro tem shall discharge the duties in all respects as the President himself might do, and the Journal shall show who is presiding at all times.

## RULE II

## VOTING AND PAIRING

1. Every Senator shall be present within the Chamber of the Senate during its sittings, unless excused or necessarily prevented, and shall vote on each question put, unless he has a direct, personal or pecuniary interest in the event of such question, or is excused from voting by the Senate. Pairs shall be announced by the Secretary after the completion of the roll call, from a written statement sent to the desk by one Senator of the pair announcing how he and the Senator with whom he is paired would vote were they both voting.

## RULE III

## QUESTIONS OF PRIVILEGE

1. Questions of privilege shall be First, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation and conduct of Senators individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

## RULE IV

## COMMITTEES

1. Unless otherwise specially ordered by the Senate, the President shall appoint, at the commencement of the Session, the following standing committees, viz:

Agriculture and Livestock, to consist of eleven members.  
 Appropriations, to consist of thirteen members.  
 Attaches and Efficiency, to consist of five members.  
 Aviation, to consist of eight members.

Control of Legislative Expenditures, to consist of five members.

Banking and Building and Loans, to consist of seven members.

Cities and Towns, to consist of seven members.

Citrus Fruits, to consist of eleven members.

Constitutional Amendments, to consist of seven members.

Corporations, to consist of five members.

County Organizations, to consist of seven members.

Drainage and Water Conservation, to consist of nine members.

Education, to consist of nine members.

Engrossed Bills, to consist of nine members.

Enrolled Bills, to consist of five members.

Executive Communications, to consist of five members.

Finance and Taxation, to consist of thirteen members.

Forestry and Parks, to consist of seven members.

Game and Fisheries, to consist of seven members.

Insurance, to consist of seven members.

Military Affairs and Civilian Defense, to consist of seven members.

Judiciary A, to consist of seven members.

Judiciary B, to consist of seven members.

Judiciary C, to consist of seven members.

Miscellaneous Legislation, to consist of eleven members.

Motor Vehicles, to consist of five members.

Labor and Industry, to consist of nine members.

Oil and Natural Resources, to consist of nine members.

Pensions and Claims, to consist of eight members.

Prisons and Convicts, to consist of five members.

Privileges and Elections, to consist of seven members.

Public Health, to consist of six members.

Public Roads and Highways, to consist of thirteen members.

Public Utilities, to consist of nine members.

Publicity and Advertising, to consist of nine members.

Rules and Calendar, to consist of seven members.

State Institutions, to consist of six members.

Temperance, to consist of eleven members.

Transportation and Traffic, to consist of seven members.  
 Welfare, to consist of ten members.

2. The President shall also appoint all Select and Conference Committees which shall be ordered by the Senate from time to time.

3. The first named member of the committee shall be the chairman; and in his absence, or being excused by the Senate, the next named member, and so on, as often as the case may happen.

4. No committee, except the Committee on Rules and Calendar, shall sit during the meeting of the Senate, without special leave.

## Clerical Assistance

5. The Chairman of the Committee on Engrossed Bills and the Chairman of the Committee on Enrolled Bills with the consent of the Committee on Attaches and Efficiency and with the approval of the President of the Senate are authorized to employ from time to time such clerical and other assistance as may be required to properly perform the duties of engrossing and verifying bills and enrolling and verifying bills and keeping a record of and mailing out the Senate Journals.

## Attaches

6. Each even numbered Senatorial District shall be entitled to four attaches, each odd numbered Senatorial District shall be entitled to two attaches, but the appointment and selection of said attaches shall be determined by the Committee on Attaches and Efficiency on the approval of the Senator of the District involved.

7. Should there be the necessity for additional attaches they shall be appointed by the Committee on Attaches and Efficiency and only then with the approval of the President of the Senate who shall not approve the same unless the necessity for such work is shown. A list of attaches approved and recommended by each Senator shall be furnished the Committee on Attaches and Efficiency and attaches shall be assigned and reassigned under the supervision of this Committee. Except by unanimous consent the total number of attaches, exclusive of the Secretary, Sergeant-at-Arms, Reading Clerk and Assistant Reading Clerks elected by the Senate, shall not exceed a maximum of 165 at any one time, except that this rule shall not conflict with carrying out the provisions of Section 5 of Rule IV. Attaches unable to efficiently perform the duties assigned to them shall be replaced on recommendation of the committee on Attaches and Efficiency with other attaches appointed and selected by the Committee with the approval of the Senator of the District involved.

8. The President of the Senate shall have the authority to appoint a Secretary to the President and a Bill Clerk.

## Expense of Special Committees

9. All expenses incurred by any special committee shall be certified, with the items thereof, under oath, to the Chairman of the Committee on Control of Legislative Expenditures, who shall keep on file all certificates made to him under this rule.

## Attendance of Employees

10. All employees and attaches, except regular committee clerks and stenographers, shall remain in attendance at all times while the body is in session and, when not in session, shall observe the same hours of employment as regular Capitol employees. Committee Clerks and stenographers shall keep themselves available to suit the convenience of the several committees and individual members of the Senate. All employees of the Senate shall stay on the job at all times the Senate is in session, and at other times when required. If attaches miss a day without permission they shall be dropped



from the payroll or their compensation reduced as the Committee on Attaches and Efficiency may decide.

#### Lobbying by Attaches

11. Attaches guilty of lobbying for or against any question before the Senate or House of Representatives shall be discharged immediately.

### RULE V

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

1. Every bill, memorial and resolution shall be sent, endorsed with the name of the Senator introducing it, to the Secretary to be by the President referred to the appropriate committee or committees, should a Senator desire the bill, memorial or resolution referred to a particular or special committee or committees, he shall make such motion, and such motion to be effective in determining the reference must be adopted by a majority affirmative vote; in all cases the title and reference thereof shall be entered on the Journal. Every bill and joint resolution to be presented shall be typewritten without any erasure or interlineation or the President may refuse it, and the title shall also be placed on the outside cover under the number of the bill or joint resolution. All bills, local or general, shall be introduced in quadruplicate (the original and three copies) and the Bill Secretary shall keep a file for original bills and a separate file for duplicate bills. The triplicate of every bill shall be delivered to the Press for its use. The quadruplicate copy of every bill shall be delivered to the Sergeant-at-Arms, who shall keep the same in a file in his office for the use and benefit of the Public. No original bill or duplicate bill shall be allowed to be taken from the Secretary's file by anyone other than by a Senator or the proper committee to whom the bill has been referred, and in either event the Bill Secretary shall take the receipt of the Senator or of the committee to whom any original bill is given. Each original bill introduced shall be accompanied by three copies of the title, and an additional copy of the full joint resolution so introduced.

#### By Request

2. When a bill, resolution or memorial is introduced "by request" these words shall be entered upon the Journal.

#### Local Bills

3. All local bills which require publication shall, when introduced, have proof of publication securely attached to both original and duplicate copies of the bill as the first or front pages thereof or the same shall be rejected by the Secretary.

### RULE VI

#### CALENDARS AND REPORTS OF COMMITTEES

1. There shall be four divisions of the calendar as to bills and joint resolutions as follows:

##### Senate General Bills

(a) A list of Senate Bills of a general nature and of joint and concurrent resolutions, by title only, which shall be taken up and considered only in their regular order, except by unanimous consent, unless otherwise provided by the Senate.

##### Senate Local Bills

(b) A list of Senate Bills of local nature which shall be taken up and considered only in regular order at such time as may from time to time be designated by the Committee on Rules and Calendar.

##### House General Bills

(c) A list of House Bills of general nature and of House

Joint Resolutions, by title only, which shall be taken up and considered only in their regular order except by unanimous consent, unless otherwise provided by the Senate.

#### House Local Bills

(d) A list of House Bills of a local nature which shall be taken up and considered only in their regular order at such time as may be designated by the Committee on Rules and Calendar.

#### Calendar

(e) In making up the calendar the Secretary shall list all bills and resolutions under appropriate headings with reference to their origin, whether in the Senate or House, whether general or local, and whether on second or third reading.

(f) The calendar of the local bills shall be published only on the days when sessions have been set aside for the consideration of such bills, and on the preceding day.

#### Favorable Committee Reports

2. All favorable reports of committees on bills and joint resolutions shall be delivered to the Secretary for reference to the Calendar under the direction of the President in accordance with the foregoing provisions of this rule, and the titles thereof shall be entered on the Journal together with the statement that the same was reported favorably.

#### Unfavorable Committee Reports

3. All bills and joint resolutions reported unfavorably shall be laid on the table unless upon motion of a Senator passed by a majority vote of the Senators present the same shall be placed on the Calendar, in which event it shall be the duty of the Secretary to place the same on the Calendar. When such bills are reached on second reading it shall be the duty of the chairman of the committee making unfavorable report thereon to move for indefinite postponement and in such case the entry on the Journal shall be "Senator....., Chairman of the Committee on ..... as required by the rule moved that..... Bill No..... be indefinitely postponed."

#### Committee Report Time Limitation

4. Every bill or resolution referred to a committee shall be reported back within seven days from the date of its reference, unless otherwise ordered by the Senate.

5. Reports of committees on bills and joint resolutions shall be filed in triplicate.

#### Conference Committee Reports

6. Presentation of reports of committees of conference shall always be in order, except when the Journal is being read, while the roll is being called or the Senate is dividing on any point; and there shall accompany every such report a detailed statement sufficiently explicit to inform the Senate of the effect any amendments or modifications will have upon the measure to which such report relates.

#### Joint Reference

7. In case of joint reference to two or more committees, such reference shall be considered by the combined committee sitting as a whole.

### RULE VII

#### DECORUM AND DEBATE

1. When any Senator desires to speak or deliver any matter to the Senate, he shall rise at his desk and respectfully address himself to "Mr. President," and on being recognized, may address the Senate from any place on the floor, and shall confine himself to the question under debate, avoiding personalities.

2. When two or more members rise at once, the President shall name the Senator who is first to speak.

3. If any Senator, in speaking or otherwise shall transgress the rule of the Senate, the President shall, or any Senator may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Senator, explain, and the Senate shall, if appealed to, decide on the case without debate; if the decision is in favor of the Senator called to order, he shall be at liberty to proceed, but not otherwise; and if the case require it, he shall be liable to censure or such punishment as the Senate may deem proper.

4. No Senator shall speak more than once on one question, to the prevention of any other who has not spoken and is desirous to speak; nor more than twice without obtaining leave of the Senate nor for any longer period of time than thirty minutes, without yielding the floor, except by consent of two-thirds of the Senators present.

5. While the President is putting a question no member shall walk out or across the hall, nor when a Senator is speaking pass between him and the Chair, and during the session of the Senate no Senator shall wear his hat, or remain by the Secretary's desk during the calling of the roll or the counting of the ballots, and the Sergeant-at-arms is charged with the strict enforcement of this clause.

6. No Senator speaking shall be interrupted by another but by rising to call order, or a question of privilege, without the consent of the Senator speaking.

7. After a question is put to vote no Senator shall speak on it.

8. No Senator or other person shall talk across the bar or rail of the Senate floor.

#### RULE VIII

##### ROLL CALL REQUIREMENTS

1. Upon every roll call the names of the Senators shall be called alphabetically by surname, except where two or more have the same surname in which case the number of the Senatorial District shall be added. The President's name shall be called at the end of the roll call.

2. In all calls of the Senate the doors shall be closed, the name of the Senator shall be called by the Secretary, and the absentees noted, and those for whom no sufficient excuse is made, may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the President for that purpose, and their attendance secured and retained; and the Senate shall determine upon what condition they shall be discharged.

3. On the demand of any Senator, or at the suggestion of the President, the names of Senators sufficient to make a quorum in the hall of the Senate but do not vote shall be noted by the Secretary and recorded in the Journal, and reported to the President with the name of the Senators voting, and be counted and announced in determining the presence of a quorum to do business.

4. All questions, motions or resolutions involving legislative expenditures shall be adopted only upon a majority vote after roll call.

#### RULE IX

##### ON MOTIONS, THEIR PRECEDENCE, ETC.

1. Every motion made to the Senate and entertained by the President shall be reduced to writing on the demand of any member, and shall be entered on the Journal with the name of the Senator making it unless it is withdrawn the same day.

2. When a motion has been made, the President shall state it, or (if it be in writing), cause it to be read aloud by the Secretary before being debated, and it shall then be in possession of the Senate, and may be withdrawn at any time

before a decision or amendment.

3. When any motion or proposition is made, the question "Will the Senate Now Consider It?" shall not be put unless demanded by a member.

4. When a question is pending no motion shall be received but:

(a) To adjourn.

(b) To suspend the rules.

(c) To adjourn to a time certain.

(d) To take a recess.

(e) To proceed to the consideration of the Executive business.

(f) To lay on the table.

(g) To postpone to a day certain.

(h) To commit.

(i) To amend or to substitute.

(j) To postpone indefinitely.

Which several motions shall have precedence as they stand arranged; and the motion relative to adjournment, to take a recess, to proceed to the consideration of Executive business or to lay on the table, shall be decided without debate; provided, however, that when a motion to lay on the table has been made, the introducer of the subject matter under discussion shall be allowed five minutes to discuss the same, if he desires to do so; or he may divide his time or waive his right in favor of any Senator.

#### Substitute Motions

5. When a substitute is offered and taken up for consideration it shall be subject to amendment in the same manner as the original proposition and the effect of rejection of the substitute as amended, shall be to reinstate the original for consideration. If a secondary matter be laid on the table, it shall not operate to carry the original matter with it.

6. The hour at which the Senate adjourns shall be entered on the Journal.

7. On the demand of any Senator before a question is put, the question shall be divided if it includes propositions so distinct in substance that one being taken away, a substantive proposition shall remain.

8. Pending a motion to suspend the rules, the President may entertain one motion that the Senate adjourn, but after the result thereon is announced he shall not entertain any other dilatory motion until the vote is taken on suspension. A motion to suspend the rules shall be decided without debate; provided, however, that the mover shall be allowed to speak for one minute on explaining the reason for said motion.

#### RULE X

##### RECONSIDERATIONS

1. When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same legislative day or the next legislative day move a reconsideration thereon, and such motion may be made pending a motion to adjourn, and the making of such motion shall be in order though the time of adjournment has arrived or passed, and such motion shall be a special and continuing order of business for the legislative day succeeding that on which the motion was made and unless acted on on said day it shall be considered abandoned, and if the Senate shall refuse to consider, or upon reconsideration shall confirm its first decision, no further motion to reconsider shall be in order, unless by unanimous consent.

#### RULE XI

##### AMENDMENTS AND SUBSTITUTES

1. When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment

shall be in order, and it shall also be in order to offer a further amendment by way of substitute to which one amendment may be offered but which shall not be voted on until the original matter is perfected, but either may be withdrawn before the amendment or decision is had thereon.

2. No bill or joint resolution shall be amended except on second reading, or by unanimous consent.

3. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert, and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

## RULE XII

### Order of Business and Procedure

1. The daily order of business shall be as follows:

First: Roll Call.

Second: Prayer by Chaplain.

Third: Reading of Journal.

Fourth: Correction and approval of the Journal.

Fifth: Reports of Committees.

Sixth: Introduction of resolutions and consideration of Senate Resolutions.

Seventh: Introduction of bills and joint resolutions.

Eighth: Consideration of other resolutions.

Ninth: Messages from the Governor.

Tenth: Messages from the House of Representatives.

Eleventh: Order of the day.

Twelfth: Consideration of bills and joint resolutions on third reading.

Thirteenth: Consideration of bills and joint resolutions on second reading.

Fourteenth: Miscellaneous business.

Fifteenth: Petitions and memorials.

2. Business on the President's table shall be disposed of as follows:

#### Governor's Message, Reports, Communications, Etc.

Messages from the Governor shall be referred to the appropriate committee without debate. Reports and communications from the heads of departments, and other communications addressed to the Senate, and bills, resolutions and messages from the House may be referred to the appropriate committee in the same manner and with the same right of correction as bills presented by Senators; but Senate Bills, with House Amendments may be at once disposed of as the Senate may determine; and House Bills and House Joint Resolutions favorably reported by a committee of the Senate may be substituted for such Senate Bill or Joint Resolution on motion of any Senator.

#### Unfinished Business

3. The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the orders of the day after motions to reconsider have been disposed of.

4. No bill or joint resolution shall be introduced by a member without special leave, except under the regular order of business, and all bills and joint resolutions when so introduced shall be committed before they are passed to second reading.

#### Reading of Bills and Resolutions

5. Any bill or resolution shall be read in full at the request of any Senator, unless objection be made, when the question shall be determined by the Senate without debate.

6. No bill or joint resolution shall pass to be engrossed without two several readings on two separate days.

7. All bills and joint resolutions after a second reading shall be committed to the Standing Committee on Engrossed

Bills, whose duty it shall be to strictly examine the same and if found by them to be correctly engrossed, they shall so endorse on the same; Provided, that any bill or joint resolution which has passed second reading without amendment shall be placed on the Calendar of Bills on third reading without reference to said Committee, unless the Senate shall order otherwise; and such bill or joint resolution shall be considered as engrossed.

#### Amending Engrossed Bills or Joint Resolutions

8. No engrossed bills or joint resolutions shall be amended without the unanimous consent of the members present, and when so amended shall be re-engrossed unless it is otherwise ordered by the Senate and shall not lose its place on the calendar.

#### Concurrent Resolutions

9. All resolutions requiring the concurrence of the House of Representatives shall be read to the Senate and lie over one day before final action thereon, unless otherwise ordered by the Senate.

10. All orders or resolutions requiring information from the Governor, Cabinet Officers, or action of a Committee shall be read to the Senate and acted upon as in case of motions and shall be spread upon the Journal of the Senate.

11. Messages shall be sent to the House of Representatives by the Secretary, who shall previously endorse the final determination of the Senate thereon.

#### Absence of Introducer

12. Whenever the Senator who introduced any bill or resolution is absent from the chamber when such bill or resolution is reached in its regular order on any of its readings, such bill or resolution shall be passed and placed at the foot of the calendar, and this rule shall not be waived or suspended except by unanimous consent.

## RULE XIII

### CHANGE OR SUSPENSION OF RULES

1. No rule of the Senate shall be changed or suspended or waived, except by a vote of two-thirds of the members voting, quorum being present, provided, that unanimous consent shall be necessary to a change, modification, waiver or suspension of any rule specifically requiring unanimous consent for such change, modification, waiver or suspension. No bill can be taken up for consideration out of order without unanimous consent, unless otherwise provided by the Senate.

## RULE XIV

### ADMISSION TO THE FLOOR

1. No person not a member of the Senate shall be admitted inside of the bar, or on the main floor of the Senate while the Senate is in session except the Senators, members of the families of the Senators, the Governor, his Cabinet Officers, ex-Governors, United States Senators, Members of the House of Representatives of the United States and of this State, an Judges of the Supreme Court, Circuit Court and Federal Court and former State Senators of Florida.

2. That the President shall admit to the floor, under such regulations as he may prescribe, stenographers and reporters wishing to take down the debates and proceedings unless otherwise ordered by the Senate.

3. The provisions of this rule shall not be subject to waiver except by unanimous consent.

## RULE XV

### PAY TO WITNESSES

The rule of paying witnesses subpoenaed to appear before the Senate or either of its committees shall be as follows: for each day a witness shall attend, the sum of Two Dollars; for

each mile he shall travel in coming to and going from the place of examination the sum of five cents each way, but nothing shall be paid for travel when the witness has been summoned at the place of trial.

#### **RULE XVI MESSAGES**

Messages received from the House of Representatives and the Governor giving notice of bills passed or approved, shall be entered in the Journal of the day's proceedings.

#### **RULE XVII REQUEST FOR PRINTING**

All requests for the printing of bills, orders, resolutions, or other matter for the use of the Senate shall be by way of resolution, which shall be referred to the Committee on Control of Legislative Expenditures.

#### **RULE XVIII MEETING AND ADJOURNMENT**

The Senate shall meet daily except Sundays. The hour for convening for the morning session shall be 11:00 A. M., and the hour for adjournment for said morning shall be 1:00 P. M. When the Senate shall determine to hold morning and afternoon sessions, the hour for convening for the afternoon session shall be 2:30 P. M. and the hour for adjournment shall be 5:00 P. M.

#### **RULE XIX SUPERVISION OF OFFICERS AND EMPLOYEES**

The Secretary of the Senate and the Sergeant-at-Arms shall be under the supervision of the President of the Senate.

The Assistant Sergeant-at-Arms, doorkeepers, janitor, pages and other attaches, except where otherwise specifically provided in these rules shall be under the supervision of the Sergeant-at-Arms. Stenographers, typists and verifiers, except as otherwise provided in these rules, shall be under the supervision of the Secretary.

The Enrolling Secretary and all clerical assistants employed in the enrolling and verifying of enrolled bills shall be under the supervision of the Chairman of the Committee on Enrolled Bills.

The Engrossing Secretary and all clerical assistants employed in the engrossing and verifying of engrossed bills shall be under the supervision of the Chairman of the Committee on Engrossed Bills.

#### **RULE XX PARLIAMENTARY RULES: JEFFERSON'S MANUAL**

The rules of parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the Senate, or the Joint Rules of the Senate and House of Representatives.

#### **RULE XXI OFFICIAL JOURNAL**

It shall be the duty of the Recording Secretary of the Senate to bind together one copy of the Journals of each day, after they shall have been approved by the Senate, and prepare an index upon forms to be furnished by the Attorney General's office, and said Journal shall be the official one of the Senate; that such index shall be plainly written or typed, and the Recording Secretary shall have twelve days after the Senate adjourns for completing the index.

#### **RULE XXII DUTIES OF SERGEANT-AT-ARMS**

There shall be a Sergeant-at-Arms and one Assistant Ser-

geant-at-Arms of the Senate and it shall be the duty of said officers to attend the Senate during its sittings, to maintain order under the direction of the President or other presiding officer in the chair; to execute the commands of the President of the Senate and of the Senate, and all processes issued by authority thereof, directed to him, to have charge of all property of the Senate, to disburse the expendable materials of the Senate to members of the Senate for their official use; to cause to be printed the number of Journals and Calendars of the Senate certified to him by the Legislative Expenditures Committee, and to comply with any orders or resolutions of the Senate; to have general charge of the gallery of the Senate provided for the public and maintain order therein; to provide drinking water for the comfort of the members of the Senate and ice for the same when necessary; to make requisition for all materials in the form of blanks and printed stationery which may be required by the Senate and distribute the same on request of the members; to purchase for the use of the Senate, unless otherwise ordered, all articles which shall be ordered by the Senate to be provided for the use of the Senate which are to be purchased, and rent or otherwise secure any articles which are to be rented or provided and so ordered by the Senate and to perform any special duty which may be required by order or resolution of the Senate, or the President of the Senate in the exercise of his lawful authority and shall police the Senate Chamber and Committee Rooms and be responsible therefor.

#### **RULES GOVERNING EXECUTIVE SESSION Nominations**

Rule 1. Where nominations shall be made by the Governor to the Senate, they shall, unless otherwise ordered by the Senate, lie over for action until the day succeeding the day upon which they are made; and the final question on every nomination shall be "Will the Senate advise and consent to this nomination?" which question shall not be put on the day on which the nomination is received.

##### **Nominations Not Acted Upon**

Rule 2. Nominations neither approved nor rejected during the session at which they are made, shall not be acted upon at any succeeding session without again being made by the Governor; and if the Senate shall adjourn sine die, all nominations pending and not finally acted upon at the time of taking such adjournment, shall be returned to the Governor and shall not be acted upon afterwards, unless again submitted to the Senate by the Governor, and all motions pending to reconsider a vote upon nomination shall fail on such adjournment.

##### **Secret Information**

Rule 3. All information or remarks concerning the character or qualification, or the vote upon the confirmation of any person nominated by the Governor to office, shall be kept a secret; but the fact that a nomination has been made shall not be regarded as a secret after time has expired when a motion to reconsider may be made, and it shall be considered a breach of privilege for any Senator to break this rule.

##### **Executive Business**

Rule 4. When acting on executive business the Chamber shall be cleared of all persons except the Secretary of the Senate, who shall be sworn to keep the Secrets of the Senate.

Rule 5. The legislative proceedings and executive proceedings of the Senate shall be kept in separate books.

##### **Nominations Acted Upon**

Rule 6. Nominations approved or definitely acted upon by the Senate shall not be returned by the Secretary of the Senate to the Governor until the expiration of the time limit for making a motion to reconsider the same, or while a motion

to consider is pending, unless otherwise ordered by the Senate.

#### Executive Records

Rule 7. No transcript of the executive records shall be furnished unless by special order of the Senate.

Rule 8. ALL CONFIDENTIAL COMMUNICATIONS MADE BY THE GOVERNOR SHALL BE BY THE MEMBERS AND OFFICERS OF THE SENATE KEPT SECRET.

#### Suspensions or Removals

Rule 9. Communications from the Governor as to the suspension or removal of officers shall be considered in executive session, and, unless otherwise ordered, shall lie over for action to the executive session next succeeding that at which they are laid before the Senate.

Rule 10. VIOLATION OF THE ABOVE RULES AS TO THE SECRECY OF THE PROCEEDINGS OF EXECUTIVE SESSIONS SHALL BE CONSIDERED BY THE SENATE AS SUFFICIENT GROUNDS FOR THE UNSEATING OF THE OFFENDING SENATOR.

The final question on every suspension or removal of officers, shall be, "Will the Senate consent to the suspension and removal of said officer?" or "Will the Senate, upon the recommendation of the Governor, remove said officer?", as the case may require.

#### JOINT RULES

Rule 1. While bills and joint resolutions are on their passage between the two Houses, they shall be on paper and under the signature of the Secretary or Clerk of each House respectively.

#### Enrollment

Rule 2. After a bill or joint resolution shall have passed both Houses it shall be duly enrolled as provided by Chapter 7346, Acts of 1917, by the Enrolling Clerk of the House of Representatives or Enrolling Secretary of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the Governor of the State or filed with the Secretary of State.

Rule 3. When a bill or joint resolution is enrolled it shall be examined by the Standing Committees of the Senate and the House of Representatives on Enrolled Bills, acting jointly, who shall carefully compare the enrollment with the engrossed bill or joint resolution as passed by the two Houses and correcting any errors that may be discovered in the enrolled bill or joint resolution, make their report forthwith to their respective Houses.

Rule 4. After examination and report, each bill and joint resolution shall be submitted to the introducer for his inspection, upon his request, and thereafter shall be signed in the respective Houses, first by the Speaker of the House of Representatives, and the Clerk thereof, then by the President of the Senate and Secretary thereof.

#### Committee on Enrolled Bills

Rule 5. That the Committee of the Senate on Enrolled Bills and the Committee of the House on Enrolled Bills shall constitute a joint Committee on Enrolled Bills.

#### Presentation to Governor

Rule 6. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor of the State for his approval, it being first endorsed on the back thereof, certifying in which House the same originated, which endorsement shall be signed by the Secretary or Clerk, as the case may be, of the House in which it did originate, entered on the Journal of each House. The same Committee shall report the day of presentation to the Governor which time shall also be carefully entered on the Journal of each House.

Rule 7. All orders, resolutions and votes which are to be presented to the Governor of the State for his approval shall also in the same manner be previously enrolled, examined and signed, and shall be presented in the same manner and by the same committee as provided in the case of bills.

#### Concurrent Resolutions

Rule 8. Before being put upon its passage, every resolution in either House, to which the concurrence of the other may be necessary (except a question of adjournment) shall receive two readings, which (unless two-thirds of the members present decide otherwise) shall be upon two different days; and the Clerk or Secretary upon proceeding thereto shall announce whether the same be the first or second of such readings; and all such resolutions upon their passage shall be certified, of course, and without the necessity of any motion or vote to that effect by the Clerk or Secretary respectively of the House so passing said resolution to the other.

#### Joint Resolutions

Rule 9. Joint resolutions shall, prior to their passage, receive three readings, which (unless two-thirds of the members present shall decide otherwise) shall be upon three different days; and the Clerk or Secretary upon proceeding thereto, shall announce whether the same be the first, second or third reading; and upon their passage, such resolution shall be certified by the House so passing the same to the other in like manner to that prescribed in joint rule number eight for concurrent resolutions.

#### Enrolled Bills Committee Reports

Rule 10. All reports by the committee on enrolled bills shall be designated by a consecutive number, and in reporting to the respective Houses submission of enrolled bills to the Governor the following form may be used:

Senator....., Chairman of the Joint Committee on Enrolled Bills, on the part of the..... reported that the Committee had this day submitted to the Governor for his approval..... bills listed in Report Number..... of the Joint Committee on Enrolled Bills, being....., (here list the respective numbers of the bills so submitted, but not the titles).

#### Form of Committee Reports

Rule 11. Committee reports shall be in the following form:  
Senator....., Chairman of the Committee on....., reported that the Committee had carefully considered the following bills and recommends that they do..... pass (or pass with amendments as the case may be).

The Journal entry as to such Committee Reports shall omit the address of the President or Speaker and shall omit the signature of the Committee Chairman.

Senator Sturgis moved the adoption of the foregoing rules to govern the proceedings of the Senate for the remainder of the 1945 Session.

Which was agreed to and the foregoing rules were adopted.

Senator Mathews moved that Senate Bill No. 87, reported unfavorably by the Committee on Finance and Taxation, be placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

Senator Mathews moved that the rules be waived and the Senate take up and consider Senate Bill No. 87, out of its order at this time.

Which was agreed to by a two-thirds vote.

S. B. No. 87—A bill to be entitled An Act relating to taxation, levying and imposing a tax on cigarettes; defining ciga-

rettes; requiring all cigarette dealers as herein defined to obtain a cigarette permit and exacting a fee therefor in addition to other taxes imposed by law; providing for the report of sale or other disposition of cigarettes, and the collection and payment of cigarette taxes; providing for the deposit, appropriation and disposition of the proceeds derived from such taxes and fees, and prescribing the duties and powers of the Director of the State Beverage Department and other officers and employees under this Act and providing for payment of their salaries and other expenses of the administration of this Act; providing for bonds by agents and dealers; providing for the enforcement of this Act and penalties for violation hereof.

Was taken up.

Senator Mathews moved that the rules be waived and Senate Bill No. 87 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 87 was read the second time by title only.

Senator Sanchez offered the following amendment to Senate Bill No. 87:

In Section 21, line 1 (typewritten bill), strike out the words: This act shall take effect July 1, A. D. 1945, and insert in lieu thereof the following: This act shall take effect July 1, A. D. 1945 and expire June 30, 1947.

Senator Sanchez moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be further waived and Senate Bill No. 87, as amended, be read the third time in full and put upon its passage.

Upon which a roll call was demanded.

Upon adoption of the motion made by Senator Mathews, the roll was called and the vote was:

Yeas—27.

Mr. President	Baynard	Boyle	Carroll
Ausley	Beacham	Brackin	Coleman 13th
Barringer	Black	Branch	Coleman 28th

Davis	King 7th
Fraser 31st	King 27th
Gray	Lewis
Johnson	Mathews

Moon
Riddle
Sanchez
Shands

Sturgis
Thomas
Wilson

Nays—8.

Bryant	Fraser 29th	Lindler	Perdue
Clarke	Johns	McArthur	Sheldon

Which was agreed to by a two-thirds vote.

And Senate Bill No. 87, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 87, as amended, the roll was called and the vote was:

Yeas—24.

Ausley	Branch	Fraser 29th	Lewis
Barringer	Bryant	Fraser 31st	Mathews
Baynard	Carroll	Johns	Moon
Black	Coleman 13th	Johnson	Riddle
Boyle	Coleman 28th	King 7th	Sturgis
Brackin	Davis	King 27th	Thomas

Nays—9.

Mr. President	Gray	Sanchez
Beacham	Lindler	Shands
Clarke	Perdue	Sheldon

So Senate Bill No. 87 passed, as amended, and was referred to the Committee on Engrossed Bills.

The following pair was announced by the Secretary:

I am paired with Senator Wilson on the passage of Senate Bill No. 87. If I were present I would vote "no" and Senator Wilson would vote "aye."

A. G. McARTHUR, 16th District.

Senator Fraser (31st Dist.) moved that the Senate do now adjourn.

Which was agreed to, and the Senate stood adjourned at 3:10 o'clock P. M., until 4:00 o'clock P. M., Monday, May 7, 1945.